

**ENVIRONMENT, LAND ACQUISITION & PLANNING COMMITTEE
of the
Suffolk County Legislature**

Minutes

A regular meeting of the Environment, Land Acquisition & Planning was held in the Rose Y. Caracappa Auditorium at the William Rodgers Building, Veterans Memorial Highway, Hauppauge, New York on **January 22, 2001**, at 3:00 P.M.

MEMBERS PRESENT:

Legislator David Bishop, Chairman
Legislator Michael Caracciolo, Vice Chair
Legislator Ginny Fields
Legislator George Guldi
Legislator Cameron Alden
Legislator Allan Binder
Legislator Vivian Fisher

ALSO IN ATTENDANCE:

Paul Sabatino, Legislative Counsel
Fred Pollert, Director of Budget Review Office
Robert Lipp, Budget Review Office
Gail Vizzini, Budget Review Office
Tony Blumenstetter, Great River Community Association
Jacqui Lofaro, League of Women Voters - Suffolk County
Ruth Cusack League of Women Voters - Suffolk County
Ben Wright, Department of Public Works
Gerard F. Siller, Supervisor, Town of Shelter Island
Hoot Sherman, Peconic Land Trust
Erik DuMont, Citizen Campaign for the Environment
Jeanine Dillon, Aide to Legislator David Bishop
Chris Nuzzi, County Executive's Office
Tom Donovan, Legislative Aide to Presiding Officer Tonna
Virginia Acker, Legislative Aide to Presiding Officer Tonna
Lauretta Fischer, Suffolk County Planning Department
Peter A. Scully, Commissioner of Suffolk County Parks Department
Stuart Lowrie, The Nature Conservancy
Richard Amper, Long Island Barren's Society
Robert Seekamp
Kevin Guilfoyle
Mike Bottini
Nancy Stein, Great River Community Association
Christopher L. Stein, Great River Community Association
Jay Schneiderman, Supervisor, Town of East Hampton
Bill Lundin
Spring Citizens Advocacy Committee
Kathleen Kennedy, Peconic Land Trust
Timothy Sullivan, East Hampton Town Nature Preserve Committee
Job Potter, Town of East Hampton
Terrance Pearsall, Aide to Legislator George Guldi
All Interested Parties
Irene Kulesa, Legislative Secretary

(The meeting came to order at 3:25 P.M.)

CHAIRMAN BISHOP:

We will all stand for the Pledge of Allegiance led by long standing County Employee Terrance Pearsall.

SALUTATION

CHAIRMAN BISHOP:

Good afternoon. Welcome to the initial meeting of this committee. This is the Environment Land Acquisition and Planning Committee. By its name, obviously, we'll have the portfolio of the former Environment and Energy Committee and also the Land Acquisition issues from the Parks Committee. All the members of this committee were asked for by the Chairman and we have an interesting mix, Allan, of members? Every member of this committee is known for their passionate advocates for their position. They are all known to be well informed. You can rest assured if a consensus comes out of this committee, it will more than likely -- almost always pass the Legislature and if there is no consensus on this committee, we will have thoroughly hashed out a debate before an issue is dispensed with. I expect, during the course of the year, we're going to be dealing with open space farmland, smart growth, clean surface water initiatives, Brookhaven National Lab Cleanup, Brown Fields Pesticide and the list will grow and grow as members interest take them. So with that, we will go to our cards and see what speakers we have.

One of our responsibilities will be SEQRA and I think we have a number of cards on the particular SEQRA Resolution. Robert Seekamp. Are these -- Kevin Guilfoyle, are you all are the same issue? A.J. Blumenstetter, are you all on the same issue and that's the Timber Point? If you're here to speak on the Timber Point issue, please raise your hand? If you're here as an opponent of the crew, please raise your hand? Okay, why -- that's what I'm trying to get. Why don't you all come up together and have a seat at the table and we'll take you as a panel. Everyone will have an opportunity to speak but this will expedite it. Okay, we'll begin with Mr. Seekamp and then we'll go to the lady to your right and then we'll move -- you're waiving?

MR. SEEKAMP:

She only speaks at home.

CHAIRMAN BISHOP:

I see, okay. Mr. Seekamp and then we'll move to my right down the line. First of all to everybody, welcome, good afternoon.

MR. SEEKAMP:

I'm sure you're heard the opposition and know all the various problems and so forth. I'm going to try and keep this to the vein for the Environmental Committee. One of the things is I was over at Stony Brook about a week ago and I was trying to get a hold of some maps of the wetland. I incidentally live about three houses away from that particular area and we have water up to our house, which has been there for many years and we are probably about a hundred and fifty feet to the waterline. My neighbor was just cited a few years ago for having a Hobie Cat and dragging it across his grass that he cut but was considered wetlands. Based on this, I was trying to get a hold of a map of wetlands at Stony Brook and I don't know whether they're available or not but I was -- immediately they said you're from Great River and I said yeah and they said well, you know, that's perfectly all right to use it over there. So we didn't get too far on that. Another thing is, I was privy to a copy of the SEQRA that was filed and as it said at the top, I don't have a copy of it with me at this point but it says based on the information, the Legislature approved this copy of the SEQRA, which as I recall was showing this property about three to six feet above water, high water mark. I question this.

LEGISLATOR FIELDS:

Go ahead, he has some other business.

MR. SEEKAMP:

Oh, I thought he was looking -- I thought he was going to try and get a copy of it. This area is definitely a flood area. Now, while I've been over there, as I say, I also do bulk heading and I do dock work. I'm not a commercial builder but I do quite a bit of it with the gentlemen who is and all of this land that we're talking about, as far as I'm concerned is definitely under water. It's environmental. It's in the flood zone but then again; most of Long Island is in the flood zone now, if you look at an insurance map. So my questions on that is how are we going to get around that? But primarily, I would like to ask these people two things. One, is there a copy or a map of wetlands? If so, how can we get a hold of one? Also, is this property described by the DEC or the environmental group, being that it's in such proximity to the water? I'd like to see that and the other thing is, which I did bring up before is I've been out there trying to get -- at the Riverhead on one occasion and I've got some parts of a file that somebody has. First time out there, there was material that was available to the public. Second time out there, the Clerk said somebody had taken this file. I believe, I spoke to Ginny about it and that file has a lot of pertinent information involved in this question that we're fighting and that's basically, all I have to say. Thank you very much for listening to me.

LEGISLATOR GULDI:

If I may? With regard to mapping wetlands, I can't answer you questions specifically, as to any given site but I can answer it generally.

LEGISLATOR BINDER:

First violation --

LEGISLATOR GULDI:

Yes, it was by someone who voted for it, wasn't it? Generally, the way wetland maps are done is you would get a vegetation expert to flag the wetlands edge based on the area that types of vegetation's that are in wetlands and they would flag it. A surveyor would then go

out to the parcel and read the flags from the markings and then draw that on a survey. Even if that was done some years, certainly if it was done some years ago, generally the wetlands lines in the whole of Long Island are moving inland at an annual rate that's been discussed and averaged. If you have an old map where someone had done that work and marked the wetlands, then it wouldn't be any good because it moved from there. So there is not a simple pragmatic answer to your question about how do you tell where the wetlands are other than learn the vegetation and stay away from the stuff that grows from the periodic inundation of water.

MR. SEEKAMP:

Well, I know. I've done some dock work on the North Shore and we were over wetlands. What we had to do is we had to put our walkways four foot above the grasses. So I mean it can be done but I was just curious to find out of the whole plot. Thank you.

LEGISLATOR FIELDS:

Thank you. A. J. Blumenstetter.

MR. BLUMENSTETTER:

I'm against this but I do have some specific questions. The SEQRA does talk of a paved road and parking for fifteen and a need to expand that to twenty-five. This particular park is a dirt road and has no parking. The end of the dirt road is a grass field. So I would like to know what they're referring to in here, as the paved road and parking for fifteen and how it gets expanded. Also the location of the building, in the description it's in one place. If we look at the map, the circled area where it's going to be is in another. I would kind of like to understand where exactly this building is being put, where it wouldn't be in a flood plain, because if they can get much further than five hundred feet from the edge of the water, they'd actually be out on Great River Road.

In putting in parking and putting in roads and putting in a building of this size, actually, we've come to an issue of drainage and putting that drainage back into the river, so I see nothing that addresses how the runoff of water from just rain from the road, from washing the boats and other things is going to be contained. It says that there will be no need for docks. These are large boats. They are fragile. These are children that are going to be walking them down to the river and putting them in. If anybody has ever been there that know that this is a mud bottom, it's hard enough to just walk through it without falling over, much less carrying something of this size. So I'd like to understand, do they need docks in there or are they going to really try and walk into the water and launch these things by hand? They say that this is going to be open to other people, to the public, to additional clubs and other facilities. Is there anything that caps the growth of this facility? As soon as they fill up with their dozen or so boats, fill up the other side of the building, are they going to start putting in outside storage? So I'd like to see that. Now, the other part of this is we've had talks before, spoken to people about this and we get some yes's. Oh yeah, we'll do that. We'll do that. To date, I have seen no written plan that states what the acceptable use of this property will be and how they're going to abide by the rules of use, maintenance and storage. Thank you.

MR. STEIN:

Good afternoon. My name is Christopher Stein. I'm also from Great River. I live at 15 Redwood Drive. I am in opposition to this, although my son is a graduate of St. Anthony's High School. We have several questions. The SEQRA did raise several that have been covered already. Some of the concerns were the restroom facilities. St. Anthony's has, I

believe, almost one hundred students on their team currently. We are aware that they solicited Dowling College to help store their boats in this proposed building, which would create, you know further use of the property. Where are these people going to have a restroom facility? What about the garbage that's generated environmentally? We're going to have runoff for the maintenance and the cleaning of the boats, whether they're painted, painting; the thinner is used. I understand that the coaches use, like a -- possibly a small rubber raft with a small horsepower engine on it. They're going to have to have hazardous materials stored gasoline in the building. What type of provisions do we have for this? Our Fire Department had a concern even about coverage for the building. For the size of the building, they need x amount of equipment, which they currently don't have.

What else do we have here? Also now, these boats I understand are sixty-three feet long, all right! They're going to practice several weeks through the season. We were told that they would not have competitions at this location, so that other spectators and other people would be generated on to the land. How do you transport a sixty three-foot boat? Okay, there are no roads there now. It's a dirt-paved road. When I saw the SEQRA that said there's pavement and parking for fifteen cars, that's totally insane. If ever you took a drive down there and saw this, it's a little dirt road that hikers, duck hunters used, joggers, people from the residence now camp there, picnic there.

LEGISLATOR FIELDS:

Can I ask you? Do you see a spot where there -- it can hold fifteen cars? Do you see -- when you looked at the CEQ proposal or recommendations and it says parking for fifteen people and they'd like to increase it to twenty-five. Do you see a spot in that park that would hold fifteen people, now currently?

MR. STEIN:

Currently now, no, no. It's the dirt road comes in and comes out almost makes a circle, it's full of potholes and mud puddles currently.

LEGISLATOR FIELDS:

So far what you're all saying is according to your analysis of the CEQ, it is incorrect?

MR. STEIN:

Definitely, without a doubt and unless, you know, people start looking at this, you know, the document appears well prepared but there's a lot of misinformation inside. To move these sixty three-foot boats, I imagine you need a good size trailer, okay! In a parking lot for fifteen or twenty five cars, even if it were totally empty and there are no cars there, you're not going to be spinning around sixty three foot trailers and this is like taking tractor trailers in and out of the parking lot. So they would have to clear a much a larger area than proposed, in order to pull the trailers in or back the trailers in and get them in and out and with that, you're going to have students, coaches, spectators. When children come from St. Anthony's, as my son is a graduate and after school they're going to take a bus down to this location to practice, well, if you live in Sayville or East Islip or even anywhere close to Great River, you can't tell me that you're going to get back on that bus to ride to Huntington to then get another bus to come home. You're going to have parents picking you up or friends or bringing your own car if you're of age to drive your own vehicle there. The area that they're using now is much larger than this has much more parking and there's no room for them there now in Huntington. So it's almost ridiculous to presume that you'd be able to squeeze this in, unless you plan on blacktopping the whole acreage. I think, I've had enough to say. Thank you very much.

MS. STEIN:

Hi, my name is Nancy Stein. I'm the Treasurer of the Great River Community Association. I'm just here in representation -- I'm here to represent most of the Great River Community Association. We had a meeting about a week ago and we had almost two hundred and thirty people there. Couldn't even fit in the building. Everyone is opposed to this. Everyone is afraid of what it's going to bring. Everybody is afraid of the environmental impact it will have. People that live along Great River Road are worried about the buses and the traffic and the pollution and what it's going to do to our roads. How bigger are they going to have to make the road area that's traveled right now, so that these trucks and people can get up and down buses? So I just want to say that we're all opposed to it. Most of the people in Great River are afraid of what this is going to be because right now, we're all blind. You know everybody keeps telling us, you know, it's going to be little, it's not going to be big and we haven't gotten a single answer that's giving us, a solid -- what's the future is going to hold with this. People who live in this community are afraid that once this goes in, this whole area is going to be cleared and it's going to become public area that is, you know, everybody is going to be able to use. What is it going to do to our little quiet environment that we have right now? So that's basically what I have to say. Everybody has covered just about everything I needed to ask.

CHAIRMAN BISHOP:

Right. Do any of members of the committee have questions for the people from Great River who came down this afternoon?

MR. STERN:

Can I say one more thing?

CHAIRMAN BISHOP:

Please.

MR. STERN:

Located on this property is a Horan House, which is quite old. It was dedicated to the County. It's now, I believe, part of the Suffolk County's Historical Society. It's in dilapidated condition. The County has failed to maintain this building properly. The roof has holes in it and now it's leaking. I believe it's almost condemned. They actually fenced it off, so that the public doesn't have access to the building, presumably, so no one would be hurt. If this building is put on our property, right now, St. Anthony's is supposed to put up the building, pay the bill for it and then give it to the County. If the rowing club falls apart, is the County now also going to let this building go into disrepair, as they have the Horan House? I'm sure it was the intention of the Horan Family when they dedicated this property to the County that it would stay in its original state. There's trees that are hundreds of years old and it's just a natural piece of property that should be left as it is. Thank you.

CHAIRMAN BISHOP:

Thank you. Any members of the committee have any questions? Legislator Caracciolo.

LEGISLATOR CARACCILO:

Thank you, Mr. Chair. Let me just point out for the residents of the Oakdale and that community from Great River. This initiative is not unique. Since it has surfaced, I've been approached by members of the East End Rower's Club with a proposal to site a similar facility somewhere in my district or perhaps along the borderline where Legislator Guldi represents the Second Legislative District. It's something that I intend to follow-up on and work with interested parties to try to accomplish. That's a long way, however, from Huntington and from some of the interested parties that have expressed interest in using the Timber Point Facility. That said, I think oftentimes members of this committee and the Legislature and elected officials, in general, hear from the public about vested interest, their vested interest in their community and certainly one can understand that. I can certainly understand that. But I think what also has to be understood, as elected officials, we have a responsibility to provide and maintain a park system and services in the park system that reaches out to the border community, of course, Suffolk County and I think where we can do that in a way that's compatible with local interest and the border interest, we have an obligation to do so. So I just wanted to share that with you.

CHAIRMAN BISHOP:

Legislator Fields.

LEGISLATOR FIELDS:

I just want to respond to Legislator Caracciolo. You missed before the fact that some statements have been made in the CEQ that are absolutely incorrect. So I think that this particular analysis of it is that we probably will need an environmental impact statement that this is a problem and that's the resolution that's coming before us today.

LEGISLATOR CARACCILO:

Okay. Along those lines, I'm sure -- since I see he's present in the audience; Commissioner Scully will address that.

CHAIRMAN BISHOP:

Michael, let me try to run the meeting, if I may?

LEGISLATOR CARACCILO:

Yes.

CHAIRMAN BISHOP:

Thank you.

LEGISLATOR CARACCILO:

I just want to make sure that we get that on the table.

CHAIRMAN BISHOP:

Try to get this thing moving. All right, any other questions? Thank you all for coming down. We'll take the resolution out of order. But first I need to know is there anybody here from the County who wishes to address the resolution? You have nothing to say, okay. Do any members of the committee have questions for anybody from the County?

LEGISLATOR FIELDS:

Yes, I do.

CHAIRMAN BISHOP:

Okay.

LEGISLATOR FIELDS:

In looking at the CEQ?

CHAIRMAN BISHOP:

Who do you refer your question to?

LEGISLATOR FIELDS:

I guess, Commissioner Scully.

CHAIRMAN BISHOP:

What is the purpose of today's -- who's sponsoring the resolution, the CEQ Resolution, negative declaration?

LEGISLATOR FIELDS:

Right. Yes, there was a negative declaration, however, as was pointed out by some of the members regarding the number of cars, when this original application came in, they were not responding to the fact that there were between eighty and a hundred kids, I think, involved in this Crew Club. I don't know if CEQ even knew how many people were involved in the Crew Club and then, I believe it was altered somewhat where buses might be transporting the kids. I don't think that, that was addressed. They're talking about off street parking, fifteen spaces and proposed twenty five spaces, yet in any of the application, I have not seen any map of any roads or any parking spaces. It's just a spot and as some of the members said, it's a -- there are contrary statements about where the actual site would be. CEQ has not inspected this side. I spoke to Jim Bagg this morning and --

CHAIRMAN BISHOP:

Legislator Fields?

LEGISLATOR FIELDS:

Yes?

CHAIRMAN BISHOP:

Can you suffer an interruption? Are these questions or statements you want to make prior to the vote?

LEGISLATOR FIELDS:

There are statements and then I'll vote on it. Also, I guess, I'll ask Commissioner Scully? Has there been a map drawn up? Has there been any kind of contract drawn up about exactly where the road would go in? What it will be? How many parking spaces? How the sixty three-foot skulls would turn around? How many bathrooms would be involved? Whether or not a floating dock would be?

COMMISSIONER SCULLY:

I've been privy to the same site plan and drawings that you've seen Legislator Fields. As you know, we're at somewhat of a disadvantage today, because we did both attend a meeting at your office one evening last week, in hopes of trying to provide information and answer questions regarding some of the issues raised and we were both advised at that time by representatives of the Community Association that, that wouldn't be a productive exercise. They didn't feel it would be fruitful to ask questions and gain information, because they didn't foresee any circumstances under which they would not oppose the proposal. So I didn't bring the EAF with me today. I didn't envision that we'd be moving forward or getting into an in-depth discussion on it. I'm sorry about that.

CHAIRMAN BISHOP:

Commissioner, what did you envision?

COMMISSIONER SCULLY:

I thought it likely that someone would probably make a motion to table to see why it --

CHAIRMAN BISHOP:

Right, I agree. So why don't we just cut to the chase?

LEGISLATOR FIELDS:

I will make a motion to table and ask that the CEQ revisit the issue and review the application and maybe that a positive declaration come forward from that.

CHAIRMAN BISHOP:

Let me make a suggestion?

LEGISLATOR GULDI:

One point?

LEGISLATOR FIELDS:

But can I also read something, on the record?

CHAIRMAN BISHOP:

Sure.

LEGISLATOR FIELDS:

This is from Ed Romaine, County Clerk. It was just faxed to me. In response to your inquiry and this is directed at Mr. Sabatino also. In response to your inquiry regarding this property, please be advised that this property was acquired as a result of a court action with the County exercising eminent domain in 1973. The County Department of Real Estate has informed my office that in 1987, the land was dedicated to the County Park System. A search of our records has not turned up any covenants or restrictions regarding the use of this property, however, it's designation for park purposes may place some restrictions as to the type of use and/or structures placed on this property.

Finally, legal counsel should research the impact of Section 15-2710 of the New York State Environmental Conservation Law Moratorium on Developments along the Carmans and Connetquot Rivers and then he says, should you have any additional questions, please feel free to call me.

CHAIRMAN BISHOP:

It's always good to hear from the Clerk. He always reminds us that people regret when they leave this institution.

LEGISLATOR FIELDS:

So I would make a motion to take this resolution out of order.

CHAIRMAN BISHOP:

Yes, let me just make a suggestion, if I may? You are the Legislator for this area. I would suggest that you write to SEQRA, advising them of CEQ rather, advising them of what occurred in this committee today and asking them to revisit the issue. Also, I assume that we are not -- the Parks Committee is really the Committee that has jurisdiction over what will ultimately occur here. So in the future, I hope that most of the discussion will take place in the Parks Committee where it properly belongs.

LEGISLATOR GULDI:

Point of order?

CHAIRMAN BISHOP:

Yes.

LEGISLATOR GULDI:

Don't we have a procedure? Can't we recommit this to CEQ? The fact we would have a resolution in any other committee? Counsel?

MR. SABATINO:

Well the -- I know what you're talking -- the CEQ determination. Well this is out of the Environment Committee, right, you're right, merge the committees. So what you could do is -
- yes you could, this is the Environment Committee.

LEGISLATOR GULDI:

Yes.

MR. SABATINO:

So you could make a motion to recommit that designation, yes, yes.

LEGISLATOR GULDI:

And if we want them to reconsider the determination that would be the proper procedure instead of simply tabling in here and asking them to take action in consistently with what's pending before us.

CHAIRMAN BISHOP:

Okay. So is that the motion?

LEGISLATOR FIELDS:

I would make a motion to recommit this to CEQ.

LEGISLATOR GULDI:

Second.

CHAIRMAN BISHOP:

Motion by Legislator Fields, second by Legislator Guldi. Discussion on the motion? Legislator Alden.

LEGISLATOR ALDEN:

I just want to caution against, you know, if this is going to be, we recommit this until we get the proper answer or whatever answer we're looking for, then I would just caution against that. If there's any other procedures and there's specific questions that we want them to look at, I think, that might be a better way to go.

LEGISLATOR FIELDS:

That's what we just -- we went through all those questions. Those are the questions.

LEGISLATOR ALDEN:

But now we're taking a significant further step in stating we don't like what they came up with now.

LEGISLATOR FIELDS:

It's not that we don't like it, it's inaccurate. We pointed out the inaccuracies of the CEQ statements that we have --

LEGISLATOR ALDEN:

I would just hope that we're not going to just recommit this and when it comes back out, recommit it again until we get, you know a desired result. That's all.

LEGISLATOR GULDI:

If I may? One of the other -- counsel, correct me, if I'm wrong? One of the other alternatives for us would be to reject CEQ's determination and impose our own determination, with respect to the environmental consequences, such as a positive declaration. Wouldn't that be correct, counsel?

MR. SABATINO:

Yes, that's absolutely correct, yes.

LEGISLATOR GULDI;

But here we want them to consider additional and different information then what was before them, so that's why the motion to recommit would be proper.

CHAIRMAN BISHOP:

Okay. Legislator Binder.

LEGISLATOR BINDER:

Mr. Chairman? In this case, what you would be doing in a sense is recommitting with instructions and I would make sure that in the motion, the instructions are clear as to what you'd like them to do. Normally, there's two ways to recommit. There's a recommit, it just says take this back into the committee and consider again, which is what I think Legislator Alden is concerned about, a general recommit. So I would make a motion -- the motion I would make is amended to recommit with instructions and then in your motion, be clear as to what those instructions are and then, I think, everybody will be a little more comfortable.

LEGISLATOR GULDI:

I think the minutes will be abundantly clear, given the subject matters have been discussed at length and why don't we simply transmit a copy of the minutes?

LEGISLATOR BINDER:

As long as that's deemed the instructions.

CHAIRMAN BISHOP:

Excellent. So what a fine working committee we have. So we have a motion to recommit. The minutes of the meeting will be affixed to the recommitting document. All in favor of recommitting? Opposed? None are opposed. The SEQRA determination is recommitted to CEQ.

I.R. NO. 2312 Making a SEQRA determination in connection with the proposed construction of a boathouse at Timber Point County Park, Town of Islip. (*Presiding Officer Paul Tonna*)

VOTE: 7-0-0-0 RECONSIDER - RECOMMIT TO CEQ

CHAIRMAN BISHOP:

All right, we've disposed of one resolution. I see that we have an elected official who wishes to address the committee. I was unaware of that and I apologize. Supervisor Sherman from the Town of Shelter Island. Is he here?

MR. SHERMAN:

Gerry Siller is here and when we get to the Shelter Island Nursery, we'll talk then.

CHAIRMAN BISHOP:

Is Siller in the room?

LEGISLATOR GULDI:

Yes, Siller is. Hoot Sherman is the former Supervisor. Gerry Siller is the current Supervisor.

CHAIRMAN BISHOP:

Oh, I see.

LEGISLATOR GULDI:

And we also have Supervisor Schneiderman from East Hampton here on another card.

CHAIRMAN BISHOP:

All right. Well let's do Shelter Island. They're so docile there with all that deer and everything.

LEGISLATOR GULDI:

We'll give you a map.

CHAIRMAN BISHOP:

I've been there. Governor Carry is out there and all sorts of good things are happening out there.

SUPERVISOR SILLER:

You never know. Thank you taking us out of turn, I appreciate it. We have to catch a ferry to get home.

CHAIRMAN BISHOP:

Yes.

SUPERVISOR SILLER:

This property we're talking about today became available just about two years ago. It became available through an auction. So the town had very little time to act on this. We acted through soliciting some private funding and doing it through the Peconic Land Trust. We did it through the Peconic Land Trust directly because we knew we were going to have to subdivide some of this property to take the overall price down, so we could afford it. Since that time, the Peconic Land Trust has subdivided the land. We have a map here to show you what we sold off, what we're preserving and we're coming before you today to try to finalize this because we're paying interest every day. We are speaking on 2322.

CHAIRMAN BISHOP:

This is Land Partnership Preservation Program?

SUPERVISOR SILLER:

Yes.

CHAIRMAN BISHOP:

Okay, so it's a partnership between the County and the Town. Is Mr. Grecco here? Mr. Burke? Do you have an opinion on this resolution?

MR. GRECCO:

Yes. This resolution, I believe, calls for a preservation partnership with us and Shelter Island.

LEGISLATOR GULDI:

Second violation.

CHAIRMAN BISHOP:

Not me.

MR. GRECCO:

For an open space fee title acquisition. We believe, based upon our rough estimates that notwithstanding the fact that a current preservation partnership account is low, we should have sufficient funds to cover the County investment.

CHAIRMAN BISHOP:

But what about the twelve -- Shelter Island participates in 125E, the guaranteed revenue sharing, do they not? Don't they have a balance in that fund?

MR. GRECCO:

No, Shelter Island is not a Pine Barrens Town.

CHAIRMAN BISHOP:

Right, so they get the money, like Babylon?

MR. GRECCO:

Yes, they have --

SUPERVISOR SILLER:

We are forty thousand on a --

CHAIRMAN BISHOP:

That's a lot of land. How much is this parcel roughly?

MR. GRECCO:

Two hundred fifty thousand.

MR. SHERMAN:

For each. Two fifty for each.

MR. GRECCO:

That five hundred thousand total.

CHAIRMAN BISHOP:

All right. Did that fund; the 125E is not growing any larger?

MR. GRECCO:

No, it is not.

CHAIRMAN BISHOP:

So is there any objection to applying that fund as part of our commitment? Which would reduce our land partnership preservation?

MR. GRECCO:

I believe it would qualify to utilize those --

CHAIRMAN BISHOP:

Do you have any other land purchases, open space purchases in Shelter Island?

MR. SHERMAN:

We just completed two.

CHAIRMAN BISHOP:

On the map. I mean oncoming down the line?

CHAIRMAN SILLER:

Yes.

MR. SHERMAN:

We have one more, which is piece contiguous to this, which is another five acres, which will be about two hundred thousand dollars.

CHAIRMAN BISHOP:

Okay, so one way or another, you're going to -- we'll throw the forty thousand dollars into the mix.

MR. GRECCO:

Yes, in other words, I should just utilize their account and then the balance of which would come out of land pres.?

CHAIRMAN BISHOP:

I would think so. Does the committee agree?

MR. GRECCO:

Should the resolution be amended too, to do so?

CHAIRMAN BISHOP:

Yes, the sponsor is not in the room but I'm sure he'll agree to that.

MR. SABATINO:

To give the authority, we should just add another resolved clause saying that you'll apply on -
- is it 2322? A clause just saying that you can apply on a first priority basis the outstanding balance.

CHAIRMAN BISHOP:

Does this deal have to be done in the next two weeks?

MR. SHERMAN:

Preferably.

SUPERVISOR SILLER:

Yes.

MR. GRECCO:

Well --

MR. SABATINO:

Let me go dictate that clause right now.

MR. GRECCO:

Oh, we have time. We're in the beginning. We have time.

MR. SABATINO:

Today is the deadline.

CHAIRMAN BISHOP:

Yes, okay, good. We'll do that. Motion to take the resolution out of order.

LEGISLATOR BINDER:

Mr. Chairman? I'm sorry. Okay, if you want --

CHAIRMAN BISHOP:

Second by Legislator Binder. All in favor? Opposed? The resolution is now before us. Motion to approve by myself, second by Legislator Guldi. On the resolution, Legislator Binder, then Legislator Guldi.

LEGISLATOR BINDER:

What I'd like to, I guess, know -- I've had a concern since the adoption some time ago of the resolution on Peconic County and now that I'm on this committee, I'm going to have the opportunity to ask about it. What is the position? Your position in the government? The Town of Shelter Island and the creation of Peconic County, because I have a concern if this ever becomes a reality where we're putting money in, partnering, buying and spending money in what could become Peconic County. I'm concerned about its effect on Suffolk County and my constituents. So if you can tell me about your view of Peconic County and what you think should have happened, does it happen, what's the official?

SUPERVISOR SILLER:

The official position of the Town of Shelter Island is that they overwhelmingly supported it in a referendum. The reality is every time the issue of Peconic County comes up; the County pays a little more attention to the East End. So we're pretty happy with the way things are

right now, quite honestly.

LEGISLATOR BINDER:

So you think the only reason that we actually buy land, which and I know our activities by far predated Peconic County. In fact, I'm concerned about that. I have to tell you, I'm concerned about what you just said that the use of this is a tool to try to get us to do something.

SUPERVISOR SILLER:

I didn't say land acquisition. I said the County paying attention to the East End, in general.

LEGISLATOR BINDER:

Okay, give me what, in general, means, so I understand and paying attention?

SUPERVISOR SILLER:

Police funding.

LEGISLATOR BINDER:

Excuse me?

SUPERVISOR SILLER:

Police funding. Money we pay into police funding, we're seeing we're getting that back now. We're seeing that in our 911 accounts, yes.

LEGISLATOR BINDER:

And you think that's because of Peconic County?

SUPERVISOR SILLER:

I think it didn't hurt, quite honestly.

LEGISLATOR BINDER:

I don't know that it happened at all, in this Legislature, having anything to do with Peconic County.

SUPERVISOR SILLER:

Well it had to do when we met with the County Executive and we addressed the East Ends needs our concerns and certainly, he addressed it for us.

LEGISLATOR BINDER:

Well, I take offense of it, to be honest with you. That this Legislature that I have been a part of it for eleven years, which as far as I'm concerned, had a lot of focus and did a lot of purchases of land on the East End and maybe it had an inordinate amount of focus on paying attention to the East End of this County when there are two, historically two members of an eighteen member body. But the overwhelming focus on so many issues were in the East End and with the spending in this County and the East End and basically, we have an issue then. So now it's an issue that we won and maybe it's an issue that we're going to kind of use as a way to get everybody's attention. So if you don't give us all the things we want and that's, maybe I'm interpreting it wrong and you might not like the interpretation but if you don't like the focus we're getting, I'm very concerned about it. I'm very concerned about Peconic County.

SUPERVISOR SILLER:

With all due respect, Peconic County hasn't been brought up in over two years. I think the County as a whole, which you represent, the East End is part of Suffolk County and preserving open space --

LEGISLATOR BINDER:

I agree.

SUPERVISOR SILLER:

Anywhere in Suffolk County, common sense tells you the majority of open space left in Suffolk County is on the East End and that's why it's been so proactive on the East End.

LEGISLATOR BINDER:

I agree.

SUPERVISOR SILLER:

We're trying to preserve what's left in Suffolk County.

LEGISLATOR BINDER:

I think, sometimes unfortunately, it's been to the exclusion of the West and I think Legislator Bishop and I have been very concerned about that. I think one of the reasons for the Greenways Fund was put together because of the lack of attention to open space, though it may be expensive on the West End because the focus we had was to the exclusion of the West End for a while and I think we were doing things in this Legislature to insure Programs. One of the first things I did when I got into the Legislature in 1990, we had a very, very difficult budget. The County Executive, at the time, closed a Riverhead Prenatal Program. It was about three hundred thousand dollars and he said no, we don't need it out there, so that's one of the things I'll cut and that's something I restored. I'm from Huntington. I had no other reason than it was the right thing to do and they are part of the County. My concern though is that, while I say, we haven't heard of Peconic County, I've heard of Peconic County, I've heard Legislator -- it's not Legislator, it's been a long time as a Legislator but Assemblyman Thiele and others talk about it. I drive around and see bumper stickers with a nice flag, you know, pennant; well it's a flag there. They are looking for the flag of Peconic County and my concern is that, at some time, this can become a real issue again at any time and if it does and I think, by the way, the reason it has been an issue has more to do with

Staten Island then it does Peconic County and if it becomes a real issue, then there's a real issue in the rest of the County, as to how much I'm spending on a regular basis, how much we're buying. I have a real concern about it. I just want it out there that those on the West End are going to be concerned about the creation of a County and what will be coming to the West End for the money I'm spending from the people on the West End if this splits off.

SUPERVISOR SILLER

I do appreciate your concern and if I can just say I think the -- and Legislator Caracciolo will back me up on this. I think the vast majority of residents on the East End support open space acquisition countywide, not just on the East End.

CHAIRMAN BISHOP:

All right. Allan, you're desperate to speak.

MR. GRECCO:

Two seconds. I can answer your concern. My understanding is if there is to be an initiative to create a Peconic County; it would require the reimbursement of Suffolk County for the amount of money we have laid out for environmental purchases out there, number one.

Number two, I could say that the Division of Real Estate has been very active with the towns on the East End who have partnered with us with their own money out of their two percent fund, so there is an interest on their behalf to preserve. They are using their own fund and I do believe that Peconic County is a nice romantic notion but the reality of it is that they would have to reimburse us for whatever we invest out there. So I believe we should view this thing as countywide.

LEGISLATOR BINDER:

I appreciate a --

CHAIRMAN BISHOP:

I think that Peconic County is a romantic notion but it's already an antiquated notion and I think we moved passed that as a Legislature and some of the proof of that is the 125E Program, wherein Shelter Island, Babylon and Huntington as non-pine barren towns are treated the same way. So there is a marriage of interest in that sense. Clearly, if this --

SUPERVISOR SILLER:

Well, I do --

CHAIRMAN BISHOP:

If this was the dictatorship that you and I want the control, we would send them to reprogramming to get their minds right on the issue.

MR. BINDER:

One of the, yes, that's true but one of the reasons --

CHAIRMAN BISHOP:

But it's not.

LEGISLATOR BINDER:

Those in the East End come here, I would like them to be discussing and letting us know how they feel about having a Peconic County. Because as they push that notion, I think it's important, as we spend money all across the County, West End and East End Legislators spend money in what could be this Peconic County. I think I'd would like to start hearing. That's not something that we're interested in seeing. What we are interested in seeing is continued effort by the whole County, in doing what they have been doing. In other words, I want recognition for what this County is focused on. For what we've done even before there was a question of Peconic County and I'd like to start hearing, since it's such a romantic notion and not real, I'd like to start hearing from the governments out East who are coming to us and telling us what they'd like and help to start saying, you know, it's not something that we're pursuing and it's not something we're interested in. We're just interested in help and being part of the County. We're not interested in splitting off. But I'd like to hear it and this is a good opportunity since we have a committee right now.

CHAIRMAN BISHOP:

It's been asked and answered, we're going to -- you see the size of this agenda?

LEGISLATOR BINDER:

Yes, I have.

CHAIRMAN BISHOP:

Unfortunately, we're going to have to move on. But I appreciate you raising the issue. Legislator Guldi, is there something that you need to say?

LEGISLATOR GULDI:

Yes, there's something I need to say, which I was going to say before Legislator Binder let us all know that he, for one, takes Assemblyman Thiele's reelection mantra of Peconic County very seriously. The rest of us are aware that the State isn't acting on it. The question I have, Allan relates to the allocation in 2232 of the two hundred to two hundred and fifty thousand dollars depending on the changes that Legislator Bishop indicated regarding the use of pine barren money for part of the County contribution. Will that still leave, at least, two million dollars in the Partnership Account for 2001?

MR. GRECCO:

I believe so, yes.

LEGISLATOR GULDI:

Do you know, Budget Review? Do you know the answer to that question off the top of your computer?

MS. VIZZINI:

Not on the top of my head.

CHAIRMAN BISHOP:

Okay.

LEGISLATOR GULDI:

That was my question.

CHAIRMAN BISHOP:

This resolution is before us. We have a motion and a second to approve with the changes as indicated earlier. All in favor? Opposed?

LEGISLATOR CARACCILO:

What resolution?

CHAIRMAN BISHOP:

2322.

LEGISLATOR CARACCILO:

I was out of the room, as you know.

CHAIRMAN BISHOP:

Right.

LEGISLATOR CARACCILO:

I just want to make sure.

CHAIRMAN BISHOP:

All in favor? Opposed? The resolution is approved.

I.R. NO. 2322 (P) Approving acquisition under Suffolk County Land Preservation

**Partnership Program (Property of Peconic Land Trust) Town of Shelter Island
(Legislator Michael Caracciolo)**

VOTE: 7-0-0-0 APPROVED

MR. GRECCO:

Mr. Chairman, we would utilize the balance in their Drinking Water Account?

CHAIRMAN BISHOP:

Right.

MR. GRECCO:

And then the rest of the proceeds comes out of the regular Preservation Partnership.

CHAIRMAN BISHOP:

Right. Thank you very much, gentlemen.

MR. SABATINO:

Just incorporate that in the bill, so you'll have the authorization.

MR. GRECCO:

Thank you.

CHAIRMAN BISHOP:

We also have Supervisor Schneiderman from the Town of East Hampton. Do you have others with you? Bring them all up. We try to do these in panels to keep it moving. Ah, Jacobs Farm.

SUPERVISOR SCHNEIDERMAN:

So you want to know if I'm a card-carrying member of Peconic County movement?

CHAIRMAN BISHOP:

You're going to be asked that.

LEGISLATOR GULDI:

I'm not yet sure whether he asked that question of both Republican and Democratic Supervisors. We'll find out in a moment.

SUPERVISOR SCHNEIDERMAN:

That's right, we'll find out. Good afternoon everybody.

CHAIRMAN BISHOP:

Good afternoon.

SUPERVISOR SCHNEIDERMAN:

I'm joined by a few of my residents, local residents and we'll start at the -- my right is Tim Sullivan, thank you -- from our Nature Preserve Committee and Mike Bottini from Group for the South Fork and also the Springs CAC Citizens Advisory Committee, Job Potter, Councilman, Kathy Kennedy from Peconic Land Trust and Bill Lundin from the Town Nature Preserve Committee. Did I leave anyone out? Okay. Thank you and we are here to talk about Jacobs Farm. I know that it wasn't very long ago that I sat before you, maybe two months ago, similarly asking for your help with the Jacobs Farm Acquisition. It's 165 acre piece, the largest undeveloped piece within the Town of East Hampton other than Gardiners Island and I'm not asking you for help with Gardiners Island. Good, right? Breathe easy on that one. It is a very important piece. It's in the Stony Hill Aquifer area, deepwater recharge area. It also adjoins a large County well field, a large County well field and I know that there was a resolution put on the table on December 19th of last year. It was tabled and sent back to this committee and I'm hoping that you will discharge this after today and allow the Legislature to vote on it.

It's particularly critical because we do have a timeclock ticking. The owner of this property, who's willing to sell it for nine million, I know that sounds like a lot of money but we do have a twelve point three million dollar appraisal and our time period for that nine million dollar price tag ends at the end of this month. So we're hoping to have, at least, some indication before the end of this month, if the County is serious about purchasing this piece of property. Okay, so we have a clock ticking, twelve point three is what the appraised value is that we have and we're hoping that we can pick this up for nine million. We're willing to -- the town, ourselves, pay for half of the price, four point five million. We think it's that important that we're willing to commit our own funds to do that and we certainly implore you to join with us in a Preservation Partnership and purchase this property with the Town of East Hampton. At this point, I think I'll turn to my right to, Councilman Potter to add a little to this.

LEGISLATOR CARACCILO:

Supervisor, before you do, I have a question?

SUPERVISOR SCHNEIDERMAN:

Sure.

LEGISLATOR CARACCILO:

Could you just --

SUPERVISOR SCHNEIDERMAN:

How are you?

LEGISLATOR CARACCILO:

How are you doing, Jay?

SUPERVISOR SCHNEIDERMAN:

Good.

LEGISLATOR CARACCILO:

Could you just run the committee through -- give us an overview, if you will, environmental preservation efforts in the town in the last five years or even more recent since the approval -
- voter approval of the Conservation Preservation Fund.

SUPERVISOR SCHNEIDERMAN:

Sure. The County has been particularly responsive to the needs of the East End, in terms of helping us acquire properties and this year has been enormous. This year saw the Shadmoor property acquired. This was a seventeen-point six million-dollar purchase of a 100 acres of very important -- close to the bluffs and a very endangered species. We bought this with the County and the State and the Nature Conservancy. We also are closing this week on a piece of Shadow Woods. It's about a -- what 65 acres, 85 acres, something like that in deepwater recharge area?

MR. POTTER:

Yes.

SUPERVISOR SCHNEIDERMAN:

That is just the town. I'm sorry but the Leonard property is a partnership, a two-point four million-dollar partnership, similar property. Let's see other major -- the County themselves purchased two large properties, one 95 acres and one over 100 acres both in Montauk, both with either surface waters or groundwater recharge components, very important properties. One adjoining the Hither Woods Preserve, the other closer to the dock area in Montauk. There's been some other partnerships.

The Whites been property, we just closed last week and Acabonac Harbor, terrific property that for ten years, the town or ten or more years, the town has been struggling to try to preserve extensive wetlands and marshlands along Acabonac Harbor. We also partnered on a small piece last week called -- belonging to the Potts Family right on Fort Pond, also I'm very excited about that piece. Job, you want to add some other partnerships? Am I leaving any major pieces out?

MR. POTTER:

You could be.

SUPERVISOR SCHNEIDERMAN:

Well Rosenthal, which was before I was elected, this was about a 3 or 400 acre piece in groundwater recharge area that the County bought. I think -- was it a partnership? It's mostly County, I believe.

MR. POTTER:

It was both.

SUPERVISOR SCHNEIDERMAN:

It was both.

LEGISLATOR CARACCILO:

When one looks at the town as a whole, how many acres are within the town? How many of those acres are in residential, commercial use or zoned for those uses and what percentage of the town does it presently preserve and what percentage of the town do you have in an open space plan or would consider for preservation in the future?

SUPERVISOR SCHNEIDERMAN:

Okay, tough question. So I'll do this as best I can from the top of my head and Job can help me here. Currently, if I count the farmland where the development rights have been purchased, as well as golf areas as open space, golf courses as open space, townwide, we're around forty percent in a protective status. Some of that is in subdivision reserved areas but about forty percent and then in terms of the open space planning, there are still thousands of acres that have value from an open space list but I'd say that Jacobs Farm is the largest, most important acquisition at the moment for the town that's pending, this piece before you.

LEGISLATOR CARACCILO:

Since the advent of CPF, what quantity of acreage has been preserved?

SUPERVISOR SCHNEIDERMAN:

I'd say we went from thirty to forty percent.

LEGISLATOR CARACCILO:

From thirty to forty percent.

SUPERVISOR SCHNEIDERMAN:

Right.

LEGISLATOR CARACCILO:

Okay. So presently, you indicated forty percent as protected. If we had all of the funding we would like to have, how much additional funding would be necessary for what you would consider absolutely essential properties that should be preserved for environmental protection?

SUPERVISOR SCHNEIDERMAN:

That's a tough one to answer. I will tell you that there's a piece that the town felt worthy of preserving. It's an eight point four million dollar piece that we're not even asking the County for any help on that we're using our own funds entirely for and the town just went out and borrowed twenty million dollars for open space. It's certainly -- it's a major issue within my community. People seem willing to support it with tax money or whatever means they need to preserve what's left. The development boom is really putting us under a lot of pressure. We're seeing real estate prices going through the roof and it's becoming out of our reach and we're trying to preserve what we can, while we can. So I don't know if I can give you all those numbers.

I can get back to you with some of these numbers but I certainly am very thankful for the County's help and you know, when you look at those numbers, you have to look at, first of all, Montauk. We have a large County Park there. You have a lot of State property there. Thousands and thousands of acreage between the State and the County, which it throws the numbers off a little bit. It makes it look like maybe more is preserved in it, than perhaps, you know, Montauk is a very special area and I think the County recognizes that. The rest of East Hampton too is filled with, you know, unusual flora and fauna and scenic vistas and the entire County enjoys it. Not that the County doesn't enjoy Hauppauge and other areas as well, but it is a very popular vacation destination, Montauk and East Hampton, in general. So I believe that there's great benefit to all the open space preservation that happens on the East End for all of Suffolk County.

LEGISLATOR CARACCILO:

One thing that has troubled me since the Shadmoor acquisition is the price that was paid for it.

SUPERVISOR SCHNEIDERMAN:

Um-um.

LEGISLATOR CARACCILO:

And I've stated this publicly. How did the property value rise from what Fish and Wildlife said it was worth a year and a half ago or two years ago, perhaps now, to twelve months later from the five million dollar appraised value to seventeen point seven million dollars? How did that happen?

SUPERVISOR SCHNEIDERMAN:

Okay, there was an appraised value at the time of sale that did support the Shadmoor purchase and I could tell you, if you look at any of the real estate publications that the real estate market is accelerating forty percent or more per year. People bought houses and sold them a year later for double the value. So it's been a crazy market out there. It's very supply and demand and the high-end stuff seems to be appreciating at an even faster rate than the lower end stuff. So I can't explain all the economic factors but you know next year Shadmoor could be worth thirty million and we all saw Billy Joel's house sold to Jerry Seinfeld for like thirty million or something like that.

LEGISLATOR GULDI:

Thirty-five.

SUPERVISOR SCHNEIDERMAN:

Thirty five million. It's hard to explain these things but there's money out there and people are willing to pay astronomical prices and we felt that Shadmoor was a very special property, priceless, in many regards and you know from a geological point of view, environmental point of view, there's really nothing like it. So how do you even put a price on it? But we know that the town can't pay, unless we have an appraised value that support it.

LEGISLATOR CARACCILO:

But on the other hand, on the other hand, how does one justify spending seventeen point seven million dollars with the exception of the one million dollar contribution by the Nature Conservancy? For a piece of property, as I understand it, that was reported in the paper and this is really the first opportunity I've had to discuss it with you.

SUPERVISOR SCHNEIDERMAN:

Sure.

LEGISLATOR CARACCILO:

That was, as I understood, approved or preliminary approvals were granted for four luxury oceanfront homes on seventeen acres with a conservation easement required on the other eighty three percent or 83 acres. Is that correct?

SUPERVISOR SCHNEIDERMAN:

That's correct but there was no provision for public access on this property and I think that's, you know, one of the major components is that right, you know, now that it's preserved, the public has access to those coastal bluffs and yes, it was four houses. But I'll tell you I haven't had any complaints locally where people are saying, you know, you're crazy to have bought this piece of property. Everybody is saying thank God it's preserved and you know and if we're crazy then the State is crazing and the County is crazing. But I don't think when we look back at this ten or twenty years from now anybody is going to say that we were crazy.

LEGISLATOR CARACCILO:

So the --

CARACCILO BISHOP:

Legislator Caracciolo, if we can --

LEGISLATOR CARACCILO:

Well, Mr. Chairman, I have to request that this is pertinent to the resolution before us.

SUPERVISOR SCHNEIDERMAN:

Sure.

LEGISLATOR CARACCILO:

You need to put these issues in context, so that Legislators can act based on facts and not fiction based and may informed decisions. We're talking about a lot of money. You know this County was accused by some as not going out and bonding acquisitions and the one we're talking about, Shadmoor is exactly what the County did. You know we hear people say well, the County, the County couldn't bond acquisitions.

CHAIRMAN BISHOP:

Legislator Caracciolo, I have great respect for you and I am sure your line of questioning is bringing something out. Why don't you indicate what it is you want to bring out, so we can expedite the discussion?

LEGISLATOR CARACCILO:

I never assume Mr. Chairman that my colleagues have all of the information that I may be privy to. So that's why I think you have to walk through this type of issue, so that everyone on the horseshoe understands what we're talking about. So my question is simply --

CHAIRMAN BISHOP:

What happens is --

LEGISLATOR CARACCILO:

Simply put, the question is what public benefit is being served by spending seventeen or in this case, sixteen point seven million dollars of public funding than the share that the County put up five point three million dollars was bonded? So it's more than five point three million dollars for preserving, ostensibly, 17 acres because we would have had eighty three percent of it preserved anyhow. Was this property purchased for groundwater protection? Is that what I heard you say?

SUPERVISOR SCHNEIDERMAN:

No, not groundwater protection.

LEGISLATOR CARACCILO:

That's Jacobs.

SUPERVISOR SCHNEIDERMAN:

There were extensive wetlands on the property but they are not groundwater feeding wetlands.

CHAIRMAN BISHOP:

Are you back on Shadmoor?

LEGISLATOR CARACCILO:

Yes.

CHAIRMAN BISHOP:

You're asking what's the justification for Shadmoor, is the quick way to say it.

SUPERVISOR SCHNEIDERMAN:

Which I'm happy to answer though, either today, we'll hopefully get to talk more about Jacob's Farm.

CHAIRMAN BISHOP:

Perhaps.

MR. SCHNEIDERMAN:

Okay. Shadmoor has global importance and I think within the environmental community it's understood. There is a plant called Sand Plant Gerardia. There is a handful of colonies left on the planet. I know Stuart Lowrie; if he's still in the audience would be happy to answer this question, because he worked for so long on trying to preserve Shadmoor far longer than myself. But it's a very unusual piece of property. I know I had found it was on the front page of the East Hampton Star, a fossil there, a hundred and twenty million year old fossil of a now extinct plant, {secaydeoyd}. These cliffs are so rich from a historical point of view. There's also bunkers.

LEGISLATOR CARACCILO:

With four homes --

CHAIRMAN BISHOP:

Let him finish.

LEGISLATOR CARACCILO:

Okay, go ahead.

SUPERVISOR SCHNEIDERMAN:

There are two World War II bunkers here that are believed to have national importance from a historical perspective.

LEGISLATOR CARACCILO:

So the property was disturbed?

SUPERVISOR SCHNEIDERMAN:

It would have been. Their both bunkers would have been torn down, yes.

CHAIRMAN BISHOP:

It was unique ecologically and historically.

SUPERVISOR SCHNEIDERMAN:

Much of the property, we would have lost public access entirely to the coastal bluffs here. It was important. It was important to the people of the East End. It was important enough for the State to come on board and I believe it was important enough that the County signed on too so --

LEGISLATOR CARACCILO:

Well, I can tell you as one of two East End Representatives, no one, no one, ever approached me about this acquisition until a C/N came flying in to the horseshoe one evening and without as much information as we had today about it, decisions were made and perhaps in retrospect, decisions that shouldn't have been made were made to spend an inordinate amount of money for something that while you claim and others may claim is of significant environmental or ecological importance and I won't dispute that. The question really becomes as representatives of taxpayers, we have a fiduciary responsibility to make sure that when you come before us, as you are today, for consideration of Jacobs Farm that we have all of the facts, so that we can make decisions based on facts and not hype and I tell you people have said to me, why did the County spend this much money to preserve 17 acres? That's really what it comes down to when you look at it. You would have preserved 83 acres based on the town's preliminary approvals.

CHAIRMAN BISHOP:

That question will conclude our discussion of Shadmoor.

LEGISLATOR CARACCILO:

Of Shadmoor, okay.

CHAIRMAN BISHOP:

Let us move on now.

SUPERVISOR SCHNEIDERMAN:

Let me just say one factual point?

CHAIRMAN BISHOP:

No, Supervisor. I've got to -- I have to --

SUPERVISOR SCHNEIDERMAN:

It wasn't 17 acres.

CHAIRMAN BISHOP:

You know I already regret asking for all these members to serve on this committee.

SUPERVISOR SCHNEIDERMAN:

At least 50 acres that were being developed.

CHAIRMAN BISHOP:

Okay, all right. Let us move on now to --

SUPERVISOR SCHNEIDERMAN:

To Peconic County.

CHAIRMAN BISHOP:

Not to Peconic County either.

SUPERVISOR SCHNEIDERMAN:

Just kidding.

CHAIRMAN BISHOP:

You're right.

LEGISLATOR BINDER:

I'll get to that in a --

CHAIRMAN BISHOP:

Why don't we actually move on to why we're here? We'll talk about Jacobs Farm.

LEGISLATOR CARACCILOLO:

Let's talk about Jacobs Farm.

CHAIRMAN BISHOP:

And why don't we let the other panel members briefly tell us why this is a worthy purchase and then we will open it up to members to ask specific questions on Jacobs Farm.

LEGISLATOR GULDI:

At the end of every -- all of the speakers?

CHAIRMAN BISHOP:

Yes.

LEGISLATOR GULDI:

Thank you.

CHAIRMAN BISHOP:

Right and Legislator Caracciolo will listen dutifully.

SUPERVISOR SCHNEIDERMAN:

Councilman Job Potter.

MR. POTTER:

Thank you members of the committee. My name is Job Potter. I'm a Town Councilman on the East Hampton Town Board and I'd like to say that I had the honor to serve on the Farmland Select Committee of Suffolk County for a number of years and the County has done a fabulous job in our Town in East Hampton for twenty years with land acquisitions and I thank you for that. I will be very brief and say that I grew up in the Stony Hill area of Amagansett

where Jacobs Farm is. It's a 165-acre parcel of woodlands, which is completely undisturbed in the SGPA and our groundwater recharge overlay district. It's a terribly important parcel to us. It's directly across the street from the Suffolk County Water Authority, 50-acre parcel, which is projected to be a future well field. Our most populated area is the Springs where we have quarter and half acre density lots and this area will provide the public water, which will surely have to be extended to that area in the not so distant future. So I will pass the microphone on but I would just express the urgency of this acquisition and our gratitude if you can help us achieve it. Thank you.

MR. BOTTINI:

Good afternoon. My name is Mike Bottini and I'm an Environmental Planner with the Group for the South Fork and in that vein, I've worked for a couple of years with the County Planning Department to produce a brochure that I think you got when we came just before Christmas and weren't able to speak. But it's called the future of Springs and has a map that shows the location of Jacobs Farm and the surrounding land use patterns and one of the concerns that my organization has and our membership is the development pattern Springs, which predates a lot of zoning environmental regulation. I also serve as the Chair of the Springs Citizens Advisory Committee and Springs is an area north of East Hampton Village and Amagansett. It's really kind of a working class Hamlet in the Town of East Hampton and although the Supervisor pointed out some of the high percentages of open space for the town, in general, the area of Springs which is 5,000 acres is right now -- has between ten and fourteen percent open space. We've been working hard with the town and with the County planners to try and look at up zonings, which we've actually been successful with and additions to the open space plan like Jacobs Farm. Our target is to have an ultimate open space percentage of twenty, twenty percent.

I'd also like to point out that the County already has some investments in this area as Councilman Potter mentioned there's the Suffolk County Water Authority property across the street which within a hundred feet of Jacobs Farm. The Suffolk County Water Authority is planning to put in three public wells there and that will be right up against red dirt road and the closest point to the Jacobs Farm property. On the other side of Jacobs Farm, on the north side is a large salt marsh preserve, the great meadow, which the County acquired and all the groundwater that falls on Jacobs Farm eventually filters out into the south end of Acabonac Harbor into that salt marsh. So this acquisition would actually help protect some investments that the County has made in the past in this area.

The final thing is that the Jacobs Farm property, although it's called Jacobs Farm, it's now -- it has been let go and it's now a mature oak hickory forest, there's some beach on the property also. The only thing that remains is the old farm use is some old livestock fences that you can still find in the woods but it hasn't been pastureland. It was never tilled. Is was pastureland at the turn of the century. There's also a really neat network of trails in the area and it will eventually connect in with the Pomonauk Path, which the County has done a lot of work in securing through the Town of East Hampton and elsewhere and to the school property to the northwest of this. Thank you.

MR. SULLIVAN:

I want to thank you for permitting me to speak and accompany Supervisor Schneiderman. My name is Tim Sullivan and I'm a member of the East Hampton Nature Preserve Committee. I think that everything that has been ventured here by the Supervisor and by Mike, wildlife habitat, water recharge area, an area of historic importance qualifies this property to go into the Nature Preserve. Under the rules of the Nature Preserve, East Hampton Town Ordinance, this property cannot be sold and as I understand it, because it's also bought with Community Preservation Trust money. It cannot be sold. So this property will be -- if your funding goes through will be permanently owned half by the County and half by the town. But I just want to address one thing. I think these type of purchases is in the

best interest of the County. As in this case, we're protecting County property, wells that the Suffolk County Water Authority hopes, at some time, might be used to bring public water to the members of the Springs.

Secondly, you have to remember that this wall of wilderness, as I'd like to say, out east is not just for the benefit of the residences of East Hampton. You'd be surprised at the number or you may not be surprised by the number of Up Island folks, Western Suffolk folks that come drive out every weekend. They drive out to hunt. They drive out to fish. They drive out to have a lot of activities that are no longer available to that extent in Western Suffolk. So it's a very -- I think it's very important and because the County is a part owner of Shadmoor and now there's public access, it's a wonderful area for Suffolk County residents to come out and visit and one other thing you have to remember, I can see it in my neighborhood in the Springs, got a lot of second homeowners are from Western Suffolk.

The Village of East Hampton and some of the areas may be the playground of the rich and famous but the Springs, in some of these areas, have second homes owned by residents of Western Suffolk and granted some of them might want to retire out there but by supporting our land acquisition, by supporting open space, by keeping hunting and fishing open, you're also benefiting many residents of Western Suffolk County but it's not very obvious, but it -- unless you spend a lot of time out there. Western Suffolk is getting a great deal of benefit out of open space in East Hampton. Thank you.

CHAIRMAN BISHOP:

You mean a guy from North Babylon can go out and hunt in East Hampton? Is that --?

SUPERVISOR SCHNEIDERMAN:

Not on Main Street.

CHAIRMAN BISHOP:

Good afternoon.

MS. KENNEDY:

Good afternoon. My name is Kathy Kennedy and I'm here from Peconic Land Trust. I'm not sure that I need to reiterate a lot of what's already been said but -- as I was saying, I'm not sure that a lot of this needs to be reiterated again as to the importance ecologically of protecting the site. However, the Peconic Land Trust has been working closely with the Town of East Hampton for almost two years now on this property and we would like to be able to finish this one and move on to the next one honestly. But we're pretty close to the end I think and we really need the County support. The landowner, as you know, has a final conditional approval for a forty five-lot subdivision on the property and that subdivision remains, at this time, to be put right into effect if this doesn't happen. We need to close the property by the end of the month and we are looking really for the County support to do so. I have a statement that the President of the Land Trust had written, John Halsey. So I'm not going to reiterate what was in there but I will offer copies to everyone for the record. Thank you.

MR. LUNDIN:

I appreciate the time to talk to you. My name is Bill Lundin. I'm from East Hampton and I'm on the Springs Advisory Committee and I'm also on the Nature Preserve Committee. Two

years ago my wife and myself, we worked a petition drive for Jacobs Farm since it's the last, it's the largest open space left, a piece of property left in East Hampton and especially that it's in the Springs and there's so very little that was preserved and we collected fifteen hundred signatures on this piece of property and presented them to the East Hampton Town Board. Mr. Schneiderman took office and for a year now, he's been trying to get all the proper funding and I can't ask enough to help us with half of this project, since the town is putting in the other half. Thank you for the opportunity.

CHAIRMAN BISHOP:

Thank you. At this time, if committee members have questions for the panel that is within their scope of knowledge, let us not go far astray of what they are capable of answering.

LEGISLATOR CARACAPPA:

Yes, Mr. Chairman.

CHAIRMAN BISHOP:

You do, Legislator Alden, do you? We'll begin with Legislator Alden and work our way.

LEGISLATOR ALDEN:

Hi, thanks a lot for coming down. How active is your town in using all the tools that you have available to you, other than acquisition in controlling and I'm not sure how you labeled it before but you know, the development of property.

SUPERVISOR SCHNEIDERMAN:

As you probably are aware, we have very strict zoning. Some of the strictest zoning anywhere in the country. We've worked with applicants. A lot of our requirements there are clustering of subdivisions. There is open space subdivisions. We require a certain percentage of that land to be set aside. I think these programs are similar now and Southampton has similar programs now and other areas do, as well. Farmland, we have purchased the development rights. Is that what it's called Job? In terms of, like it's a seventy thirty split, where thirty percent of the property is developed and the other seventy remain agricultural. We have a lot of various programs where we try to reduce density or create Greenways and open spaces. So I think we're doing a pretty good job. That doesn't mean we shouldn't be acquiring properties, as well. So you know the best, obviously, the best open space is, you know, development without the homes in the middle but --

LEGISLATOR ALDEN:

I can tell you one way --

MR. SULLIVAN:

I can actually chime in, because I reviewed the Town's Open Space Plan and the town has seven hundred properties listed in their Open Space Plan and they went through and it's a very conservative plan, in that only twenty to twenty five percent of those properties were listed for outright acquisition. Where there was unique features, the Town Planning Department tried to, wherever possible, preserve those features through an open space

subdivision or creation of a reserve area or some kind of a scenic easement.

LEGISLATOR ALDEN:

I'll tell you where I'm going with this and I really should have mentioned this before you started with your presentation, because what I'd like and what you really have to do is convince me and other Legislators from more like the West End. Because I have a district where the property value is not going up forty percent. But I have people come to me and say that when you buy up all the land out on the East End, you by government action are driving up the price of property. So we're competing with the private sector in driving up the prices. So that makes the next acquisition that we make more expensive than the last one. So we're drying up all that available land. There is no available land in the West End.

So here's the other question and I had an interesting conversation about two hours ago that what we do is preserve the status quo when we buy open space. Now, should we use that money instead, in possibly the Western End, or anywhere in the County to buy contaminated property or property that is really at risk that is actually producing a negative effect on the environment. Should we use the limited resources that we have to make those kind of acquisitions rather than make the acquisitions that we have out in the East End and that's what I should have told you at the beginning of this.

MR. SULLIVAN:

Right.

LEGISLATOR ALDEN:

But you know that's what I want to hear. Convince me why we should spend our limited resources to preserve the status quo, when we have an option all over the County to actually do some, you know, progressive type of things where we take contaminated properties that are leaking into our environment and buy those and clean those properties up.

SUPERVISOR SCHNEIDERMAN:

Well, I'm not going to tell you, you shouldn't buy those as well. I mean, I think those are apportionable --

LEGISLATOR ALDEN:

But you can't. You have a limited number of dollars. That's the problem.

SUPERVISOR SCHNEIDERMAN:

Right and I think those apportionment questions, ultimately are up to, you know, the Legislature and I think as Jerry Siller, my esteemed colleague on Shelter Island said before, is you really should be buying property all over Suffolk County and you know, I didn't grow up actually on the East End. I spent my summers there as a kid. I'm from Hauppauge, okay!

Right here. So and I'd love to see you buy more property in Hauppauge. You know I saw -- you know, the woods that I played in get developed and now I think there's certainly room for purchases up here. The East End is a very special place and the Nature Conservancy calls it one of the last great places and not that Hauppauge isn't a great place but there's something fundamentally unique about the East End of Long Island from a global perspective.

I think that the properties you buy on the East End are extremely valuable not just because the price tag is high but because there of limited quantity, in terms, of the habitat value, the marshlands, the open space, the scenic vistas. All of New York enjoys it all of, you know, the tri-state area enjoys it. In fact, we're seeing tourists from really all over the planet coming out there but you know, we're here today to tell you how important Jacobs Farm is and ultimately the decision is up to you. But we obviously, we're hearing from the elected leaders of the community that we believe that this is money well spent. That this is an important acquisition.

LEGISLATOR ALDEN:

But still my dilemma is, is it more important than abandoning an industrial site in my district or close to my district in the West End that could be -- we could use that same dollars --

SUPERVISOR SCHNEIDERMAN:

I'm a County taxpayer. I'm perfectly willing for my tax dollars to be spent cleaning up those brown fields but I also want to see that money buy an open space and I think the East End is an unusual case and that property is going quickly. It needs to be saved now while we can.

LEGISLATOR ALDEN:

Because the others are leaching poison though, as we speak.

SUPERVISOR SCHNEIDERMAN:

And they should be cleaned up.

LEGISLATOR ALDEN:

Okay.

SUPERVISOR SCHNEIDERMAN:

Absolutely.

LEGISLATOR ALDEN:

Thanks.

SUPERVISOR SCHNEIDERMAN:

It shouldn't be one or the other. Absolutely, not. I think, we have to think countywide and the property we preserve in the East End is part of Suffolk County. When you look at the

County as a whole, maybe you know we have thirty or forty percent open space in the East End but you have to look at the whole County and say, hey that's part of the County's inventory of open spaces and they're important. It's an important part of the County's holdings and you know, whatever the County number, you know, countywide is, it's just increased because of that property you bought on the East End.

CHAIRMAN BISHOP:

All right.

SUPERVISOR SCHNEIDERMAN:

Does that make sense?

LEGISLATOR ALDEN:

It does.

CHAIRMAN BISHOP:

Yes. Legislator Binder? Maybe you can pick up on the distinction between the great Hauppauge and great East Hampton. To qualify is great.

LEGISLATOR BINDER:

The difference is probably one can be in Peconic County. Actually, so I don't look partial to one town or the other, I'm going to ask you the same question about Peconic County.

SUPERVISOR SCHNEIDERMAN:

Sure, please do.

LEGISLATOR BINDER:

I'll just leave it out there, because I'm sure you heard it the first time. I won't have to spend time on it again.

SUPERVISOR SCHNEIDERMAN:

I feel like I'm at a confirmation hearing. Are you going to ask me if I ever had an illegal immigrant clean my house?

LEGISLATOR BINDER:

Well, have you? No, I shouldn't.

SUPERVISOR SCHNEIDERMAN:

Am I a card-carrying member of the Peconic County movement? I haven't heard a lot of talk about Peconic County for the last few years. It's clear that the County has been very responsive to the needs in the East End and particularly concerning the environment but also concerning the people as well. We've got this great clinic that the town is building. A health clinic but the County is going to manage and fund and I know, I've met many times with the County Executive, Bob Gaffney. He has been very, very supportive of land acquisition and I just really don't think there's much of a movement right now toward Peconic County. If there is, I'm not aware of it but I'm very happy with the role the County has been playing in helping us preserve the East End from an environmental, from a historic, from a cultural perspective and I have no complaints.

LEGISLATOR BINDER:

Okay, so you don't really see a need for moving to a separate County. We're obviously doing -

SUPERVISOR SCHNEIDERMAN:

I think, we have a great relationship and there's a mutual exchange here. So in terms of the environment and terms of our tax dollars and you know, economically there's a great coordination. I'm happy so --

LEGISLATOR BINDER:

Mr. Chairman, question. The other question I wanted to ask but not of the panel and you might want to address them afterwards but it's about -- so I understand the money -- how does it affect land purchases in other places. Does it affect other land -- you could wait to the end. Let everybody get through this, so I can understand how --

CHAIRMAN BISHOP:

We're going to take that separately. Legislator Caracciolo, is there anything that you need to say?

LEGISLATOR CARACCILOLO:

Dave, you know, I always have something to say.

CHAIRMAN BISHOP:

Yes.

LEGISLATOR CARACCILOLO:

Okay. Thank you George. I did want to get into the financing of this property but also, I think, as important is the use of this property. How will this property be maintained and used and to what -- how does that benefit besides the adjoining acquisitions of the County has made in freshwater and wetlands? Will this property be open to be transverse by residents of the County, the State outside the area? Will there be a hiking trail there?

SUPERVISOR SCHNEIDERMAN:

Absolutely. The Paumanok Path will go through this piece.

MR. SULLIVAN:

No.

SUPERVISOR SCHNEIDERMAN:

No, okay. Not through this but near it.

MR. SULLIVAN:

With a half a mile.

LEGISLATOR CARACCILO:

Tell us what public uses does the property allow?

SUPERVISOR SCHNEIDERMAN:

Certainly hiking and East Hampton has one of the best trail systems in the Northeast. Certainly, the groundwater component as Mr. Potter stressed. It's, you know, Springs area is the most densely populated area. This is where the water will come from when they go onto public water. So there's a great community benefit. In terms of, you know, general Suffolk County, certainly just the sense of open space, the past of recreation through hiking, I think those are important components. Anybody want to add anything from a County perspective?

MR. SULLIVAN:

It's also used now by deer hunters and whether or not; I'm not sure what the County regulations are with that but --

LEGISLATOR CARACCILO:

The Town -- well, I have a question for counsel.

SUPERVISOR SCHNEIDERMAN:

The town will manage it. I'm sure it would be open for hunting.

LEGISLATOR CARACCILO:

This is a land partnership acquisition, fifty, fifty, Town, County. Suffolk County Water Authority has been referenced several times by speakers and through no fault of their own, they do not understand that Suffolk County Water Authority is not a part of Suffolk County Government. That said, with the exception of appointees, well, we don't manage it. We don't collect fees. We don't pay salaries and so forth.

MR. SABATINO:

It's a State Agency.

LEGISLATOR CARACCILO:

Right, it's a State Agency. That said, the Water Authority, have they expressed, Supervisor, did I hear you allude to using some adjacent property for possibly public wells in the future?

MR. SULLIVAN:

The property is actually owned by -- it's County parkland but the original acquisition enabled the Water Authority to put in three public wells on the property and the location hasn't been totally worked out but they do have a blueprint for where those would go, where the access route is.

LEGISLATOR CARACCILO:

Okay, that's what I wanted to follow-up on, in terms of County parklands. Do we have situations where there are exceptions to the Nature Preserve and how parklands can be used? Can they be used for public water supply?

MR. SABATINO:

Well, yes, there's two circumstances. One is when you get enabling State Legislation. Just a couple of years ago, we did it for the West Hills County Park because the South Huntington Water District needed to expand it's capacity. So we carved out -- like 2 acres for that specific purpose. The other way is under the Drinking Water Protection Program and when we acquire the land, it's written right into the Charter that land that's acquired under that old Quarter Percent Program for Drinking Water Protection Programs is subject to the access for water purposes, if there's a desire to do that with the Water Authority. So the answer is yes.

LEGISLATOR CARACCILO:

Under this particular request for acquisition, would there be a means by which this property in the future with State Legislation could be utilized for providing public well water?

MR. SABATINO:

Well, this one -- yes, this one as it's currently constructed doesn't talk about it. I mean if -- the way to do it would be to -- there's knowledge that it's going to be done at the beginning of the process. What you do is acquire the land but don't dedicate that portion that you think is going to be necessary for the access to the water wells, to the actual parkland and then we'll have the ability to do it as part of the agreement, if there's actual specific knowledge, at this time, as to where the proposed site or location is going to be.

LEGISLATOR CARACCILO:

What is the quantity and quality of the water in the Springs area? Well, I'm talking about portable water.

MR. SULLIVAN:

We have had -- first of all; there's no public water currently on the whole 5,000 acre peninsular. Everyone is on their own private well. With the exception of some of the summer homes that are out on some of the fringe areas like Gerard Drive where it's sort of a spit of land, they have some salt water intrusion into the shallow wells but in general, it's good. We have had some contamination from the Springs Nursery from stuff they were putting on stock that got into some wells and we had something that showed up, we think, was from an old gas station but that's --

LEGISLATOR CARACCILO:

But that's not located near this property?

MR. SULLIVAN:

No, no, this and the other thing is I worked with Michael LoGrande on the siting of the wells in relation to --

LEGISLATOR CARACCILO:

That's my next question.

MR. SULLIVAN:

The County parkland piece and the history of that -- why the Water Authority is allowed to put wells on that is because they -- part of the deal was they bought land.

CHAIRMAN BISHOP:

We're going to change the bill to provide for other parties access.

MR. SULLIVAN:

There's no plan to put wells on Jacobs Farm.

LEGISLATOR CARACCILO:

That's the question. Does the town and the interested parties here represent that a portion of this property should be set aside for future public wells?

MR. SULLIVAN:

No. The Water Authority feels that the three public wells south of this property on the County parcel that's already owned is -- will be enough to service the 5,000-acre peninsula of Springs.

LEGISLATOR CARACCILO:

Okay.

CHAIRMAN BISHOP:

So we don't need to make that change?

LEGISLATOR CARACCILO:

Okay.

CHAIRMAN BISHOP:

Thank you.

LEGISLATOR CARACCILO:

The question I have now, Mr. Chairman is to the sponsor who at our last committee meeting, alluded to the financial benefits that would be derived to the County and the Town under the present proposal because of some financial benefits to the property owner. Can you elaborate on that please?

CHAIRMAN BISHOP:

No, he cannot because that's not what we're doing at this point.

LEGISLATOR CARACCILO:

Well, it's in reference to --

CHAIRMAN BISHOP:

Do you have any other questions for those folks?

LEGISLATOR CARACCILO:

No but they may want to amplify a point.

CHAIRMAN BISHOP:

No, they don't. If anybody wants to?

LEGISLATOR CARACCILO:

Does anyone at the table have information Supervisor, as to how this purchase would be consummated?

SUPERVISOR SCHNEIDERMAN:

There was talk originally of trying to do something called an installment sale. That has now been taken off the table, which would have been a prolonged sale and it might have had some benefits from a tax perspective to the seller encouraging the seller to lower the sales price but we were not able to get the IRS ruling on this. We were not able to get the interest rate set in a way that made it a useful tool for preservation. So this is a conventional sale. That nine million dollars.

LEGISLATOR CARACCILO:

Four and a half, four and a half?

SUPERVISOR SCHNEIDERMAN:

Four and a half, four and a half.

LEGISLATOR CARACCILO:

Thank you.

CHAIRMAN BISHOP:

Okay, thank you. Legislator Fields, do you have any questions?

SUPERVISOR SCHNEIDERMAN:

Just to add to that?

CHAIRMAN BISHOP:

Legislator Fisher.

SUPERVISOR SCHNEIDERMAN:

There is an appraisal done by, you know one of the appraisers that are accepted by the town and it's a four, twelve point three million. So I suspect that the property owner selling it for nine could claim that he is underselling the property and try to take a tax deduction.

LEGISLATOR GULDI:

I think -- isn't there -- there's an affirmative plan to work with the Land Trust to that end. Is there not? If I may be recognized?

SUPERVISOR SCHNEIDERMAN:

Bargain of sale, okay. So it is a bargain of sale.

LEGISLATOR GULDI:

So it is part of the deal? Yes. So for that tax incentive, what we are getting is the twelve-point three million-dollar worth parcel for four and a half?

SUPERVISOR SCHNEIDERMAN:

Well, nine, nine.

CHAIRMAN BISHOP:

Okay, thank you. Legislator Fisher, any questions?

LEGISLATOR FISHER:

No.

CHAIRMAN BISHOP:

Legislator Guldi, any questions?

LEGISLATOR GULDI:

No, I don't have any questions.

CHAIRMAN BISHOP:

Thank you. Thank you all and we will take this out of order.

SUPERVISOR SCHNEIDERMAN:

Thank you.

LEGISLATOR GULDI:

Motion take out of order.

SUPERVISOR SCHNEIDERMAN:

We'll think twice about coming back for another --

CHAIRMAN BISHOP:

First, we have to hear from some of the County Officials before we --

LEGISLATOR GULDI:

Do you want to bring them forward now?

CHAIRMAN BISHOP:

Yes, I'm going to bring them forward now.

LEGISLATOR GULDI:

You've got Allan.

SUPERVISOR SCHNEIDERMAN:

Thank you all for your consideration.

CHAIRMAN BISHOP:

Okay, we're going to -- I understand that and we'll do that resolution next. Finish this up though. Allan, I'm just going to anticipate what folks want to know on the panel. Four and a half million dollars from the Land Partnership Preservation, entirely out of that program?

MR. GRECCO:

I thought this was going to be a separate Capital Bond?

CHAIRMAN BISHOP:

Okay, so it's not out of Land Partnership Preservation?

LEGISLATOR GULDI:

That is Capital Program with part of it out of the Partnership Program and there's a corrected copy from the original one. Give me a second? That's twenty --

MR. SABATINO:

Let me?

CHAIRMAN BISHOP:

Counsel will.

LEGISLATOR GULDI:

It's 2319.

CHAIRMAN BISHOP:

You're right, George. Paul?

MR. SABATINO:

It's the Land Preservation Partnership Program, however, what had to be done was an offset had to be achieved to bring the program up to the level of funding. The offsets are in the corrected copy but it will be a Land Preservation Partnership.

CHAIRMAN BISHOP:

This is it for the program, right?

MR. SABATINO:

From the program, fifty, fifty.

CHAIRMAN BISHOP:

No but I'm saying --

LEGISLATOR GULDI:

This if from the program.

CHAIRMAN BISHOP:

This will be it for the Land Partnership Preservation Program.

LEGISLATOR GULDI:

Unless we find other offsets to put into the program.

CHAIRMAN BISHOP:

The program is exhausted of funds, if we approve this purchase.

LEGISLATOR GUDLI:

Unless we find other offsets to put into the program for approval of other purchases.

CHAIRMAN BISHOP:

And indeed --

LEGISLATOR BINDER:

How much is in there currently? How much is in the Land Preservation Partnership?

CHAIRMAN BISHOP:

Hold on. Give me that information.

LEGISLATOR GULDI:

It's in the backup to the bill. It's line -- page three, it's two million dollars.

LEGISLATOR BINDER:

I mean prior to the offset?

LEGISLATOR GULDI:

There is a current 2001 and this adds the amounts to bring it to six point four.

CHAIRMAN BISHOP:

Chris, do you want to?

MR. NUZZI:

Yes. This actually provides for, as you said before, offsets and wouldn't exhaust the balance of the 2001 Preservation Partnership.

CHAIRMAN BISHOP:

Does anybody have figures though?

MR. NUZZI:

I think it's a little more than half a million dollars that would come out of that program, out of Preservation Partnership.

LEGISLATOR BINDER:

And that's from a total of how much?

MR. NUZZI:

Two million.

LEGISLATOR BINDER:

So it's a half a million from two million.

CHAIRMAN BISHOP:

Gail, do you have it?

MS. VIZZINI:

The resolution that I have shows that half a million dollars is coming from the -- I may not have this --

MR. SABATINO:

Let me explain what's happening, okay! The offset is bringing the program up to six point four million dollars, because there was previously two million dollars. So we found four point four million dollars of the five million dollars that's needed, which means that only five hundred thousand dollars of the beginning of the year, two million is being depleted, which means you have roughly one point five million out of the box.

LEGISLATOR GULDI:

Actually, yes.

CHAIRMAN BISHOP:

Okay, so let's focus now on the offsets? Because now we understand how it's structured. Let's discuss the offsets. Paul, what are the offsets? How much --

LEGISLATOR GULDI:

If I may? Jim Spero explained it, did this and then revised it because of some of the concerns. The first offset is Port Jefferson Sewer Project, which has been reduced but left in it the planning money, which is the part of the project to be accomplished in this next fiscal year. So that project goes forward and the construction money that wasn't anticipated being reached in 2001, gets shifted to this.

CHAIRMAN BISHOP:

Let me ask this? If Port Jefferson Sewer was to cost over three years three million dollars, right and we lost -- we delayed a year and so the planning money that what's called one million dollars --

LEGISLATOR GULDI:

Three hundred and thirty thousand.

CHAIRMAN BISHOP:

Three hundred and thirty thousand dollars now goes to this program.

LEGISLATOR GULDI:

No, no.

CHAIRMAN GULDI:

We still have to make that money up.

LEGISLATOR GULDI:

No, you got it backwards. The planning money stays in Port Jeff. The construction money that was in 2001, is being offset here and yes, future years budget --

CHAIRMAN BISHOP:

You've got to find --

LEGISLATOR GULDI:

When we do next year's budget, we're going to have to budget --

CHAIRMAN BISHOP:

Fine.

LEGISLATOR GULDI:

For the construction money.

CHAIRMAN BISHOP:

I see, okay.

LEGISLATOR GULDI:

But we're going to have to do that anyway, because it was going to be done in 2002 anyway.

LEGISLATOR BINDER:

That would expire --

LEGISLATRO GULDI:

And would expire at the end of this year, if not utilized.

CHAIRMAN BISHOP:

Next offset?

LEGISLATOR GULDI:

The next offset is a Sewer District 21 Project, same story from Mr. Spero. He's left the

planning and design money and removed the construction money, which wouldn't be spent in future years. Correct me please, if I'm misstating anything. That's the second offset and the third is -- and the third line, the last and only other line is land acquisitions, which is, as discussed by counsel. The answer to the concern is nobody's ox is getting gored. We found a way to afford to buy this piece of land for thirty-three cents on the dollar. That's what we're putting up and we're getting it preserved.

LEGISLATOR ALDEN:

Mr. Chairman?

CHAIRMAN BISHOP:

Legislator Alden, I think, has a ox that's being gored.

LEGISLATOR ALDEN:

No, actually I just want to state that my original concern, one of them was that this was a direct add to a Capital, really. It is a direct add as a Capital Program, which increases our carrying charges. In this day and age, we found out that we have a little less money to pay for our carrying charges, so we've got to be a little bit more careful and then I would just offer a word of caution. If this moves forward that in the future, I know that we have some projects that are important, like the ones that are being actually put off, so that we can afford to do this. But in the future, we're going to have to look at a lot of spending. We're going to have to maybe cut out some Capital Projects, because we can't go down that road to just add on and add and add on, because we don't have an infinite number of dollars coming in, as we found out. It's more a finite number of dollars and it's a lot smaller than what we thought even last week and a couple months ago.

LEGISLATOR GULDI:

Yeah well, this is actually, it's a whole different approach than was initially put on the table and we heard those concerns. We aren't using -- we aren't doing an ad. We aren't doing a partnership. We're doing offsets. It's a much more conservative approach but we're still getting the opportunity to buy this land, like I said, for by a twelve point three million dollar appraised parcel.

CHAIRMAN BISHOP:

Any further questions on the financing? Yes, Legislator Fisher.

LEGISLATOR FISHER:

Budget Review, the second offset? There are two different -- I have two different copies of this resolution and the second offset in the resolution that Legislator Guldi just read is Project Number 8170, improvements to Sewerage Treatment Facilities, Southwest. I have another copy on which the second the offset is 8121, improvements to Sewer District Number 21, SUNY, Stony Brook. Which is the correct second offset?

MR. POLLERT:

8170 is the proper offset, which is the Southwest Sewer District.

LEGISLATOR FISHER:

Okay, I just wanted to know which is the correct?

MR. POLLERT:

Well, that's what I have.

LEGISLATOR GULDI:

No, I got a corrected as of January --

LEGISLATOR ALDEN:

Mr. Chairman?

MR. SABATINO:

8121 is the correct number.

LEGISLATOR FISHER:

I think DPW should speak.

LEGISLATOR ALDEN:

Yes, Mr. Chairman?

LEGISLATOR FISHER:

Ben, did you have a different response?

LEGISLATOR ALDEN:

Southwest Sewer District was eliminated as a funding source.

MR. WRIGHT:

I think Legislator Guldi -- it is my understanding that --

LEGISLATOR FISHER:

Can you speak into the mike, Ben? Sorry.

LEGISLATOR GULDI:

Fred, Jim prepped another corrected copy as of January 9 and that's the one that I'm working from. The one you're looking at predates that as of -- on the 19th, okay. The 19th, excuse me, January 19th.

LEGISLATOR ALDEN:

Now we need a --

LEGISLATOR FISHER:

8121 is SUNY?

MR. WRIGHT:

Yes and that's three hundred and thirty thousand that was agreed to.

LEGISLATOR GULDI:

That's the one that I indicated.

LEGISLATOR FISHER:

No, you indicated Southwest.

LEGISLATOR GULDI:

No, I indicated SUNY.

LEGISLATOR FISHER:

You didn't have Southwest?

LEGISLATOR GULDI:

That's correct. That's not what I put on the record. I used the correct one, which is the --

LEGISLATOR FISHER:

8121?

LEGISLATOR GULDI:

Yes.

MR. SABATINO:

8121, there's a cover letter which specifically states, we eliminated the Southwest Sewer District. There's an offset and we replaced it.

LEGISLATOR FISHER:

I wanted to know which is the correct copy here. Because I have in the folder that was distributed by the Chair, it includes the Southwest Sewer District.

LEGISLATOR GULDI:

Which is incorrect. That's an older copy of the bill.

LEGISLATOR CARACCILO:

Counsel which resolution -- what date on 1833 are we working from?

MR. SABATINO:

We're working on I.R. 2319.

LEGISLATOR CARACCILO:

All right.

MR. SABATINO:

2319, it's I.R. 2319.

LEGISLATOR GULDI:

And the corrected copy?

MR. SABATINO:

The corrected copy, my letter is dated 1/9/2001.

LEGISLATOR GULDI:

The corrected copy is dated 1/9/2001.

MR. SABATINO:

Right and it's --

LEGISLATOR CARACCILO:

I do not have that copy. Do the other members have that copy? All right. Could we have

copies of that made and distributed to the committee before we consider the resolution?

LEGISLATOR GULDI:

As we continue, yes.

LEGISLATOR FISHER:

Okay, I have --

LEGISLATOR GULDI:

Do you have the right one Ginny? Here, take mine.

LEGISLATOR FISHER:

I have it. Ben, we had discussed these two sewer projects and actually, we discussed the Port Jefferson Sewer Project with the SUNY Stony Brook Sewer Project. They are at the planning stage. Planning and design, they're not prepared to implement?

MR. WRIGHT:

No, we have applied for a Clean Water Clean Air Bond Act on that project and didn't receive it. We also need a better response from SUNY about their needs in the future with some of the construction that's going on. So we don't think that anything is going to happen this year and therefore, we agreed that it could go into next year.

LEGISLATOR FISHER:

Okay, thank you Ben.

LEGISLATOR CARACCILO:

Mr. Grecco?

MR. GRECCO:

Yes?

LEGISLATOR CARACCILO:

Allan, could you just explain the way this property would be acquired? Who would hold title? Use of the property, will there be any restrictions, any limitations?

MR. GRECCO:

We would anticipate that we would own the property as Tenants in Common with the Town of East Hampton, meaning we would not own half and they would own half but we would own together the whole thing. I believe you know we could enter up into -- enter into a

management agreement, if we so desire, at some point.

LEGISLATOR CARACCILO:

Well, that's the next question. Who maintains the property and for what uses?

MR. GRECCO:

Well, the use probably would be Nature Preserve. Yes and would be subject to the provisions of the Nature Preserve Handbook, which allows pretty much passive use. Hiking, jogging, bird watching that sort of thing.

LEGISLATOR CARACCILO:

Does any of this property, because the photocopy I have of the Springs area land use map is not clear to me. Is any of this property abut bay or -- it's not oceanfront because it's on the other side.

MR. GRECCO:

No.

LEGISLATOR CARACCILO:

It doesn't --

MR. GRECCO:

I don't believe it has water access, no.

LEGISLATOR CARACCILO:

No water access, okay. Because still floating around in the back of my head is Shadmoor, Shadmoor, Shadmoor, seventeen point seven million dollars for a 100 acres and this is 165 acres, just a little bit to the west in a very nice community, a very nice community. Are there any other questions, while we wait for the corrected copy to be distributed?

LEGISLATOR ALDEN:

The Budget Committee that was scheduled for 4:30 will take place directly after this committee meeting.

LEGISLATOR CARACCILO:

Okay.

LEGISLATOR ALDEN:

So if anybody is sticking around for that.

MR. GRECCO:

Shadmoor is an active park and we talk about a seventeen and a half million dollar price tag but the reality of it is, we actually bought about 33 and a 1/3rd acres for about five point six million. This is not that far out of line with our Chandler Estate or Forsyth Meadows acquisitions and you acquire for different reasons. You can acquire for open space. You can acquire for farmland. You can acquire for drinking water. In this case, Shadmoor was acquired as an active park and we basically tripled our holding by joining the State and the Town and yes, you're right. You know we did not have four houses and it boggles the mind, however, I think when you look at it as an active park and I would suggest anybody who goes there, you would see that it really -- there is some rationale to that acquisition.

LEGISLATOR CARACCILO:

Who does -- just a final question. Who performed the appraisals on these two pieces of property? The same entity, different entities?

MR. GRECCO:

I don't recall. I don't recall.

LEGISLATOR CARACCILO:

Okay. We're waiting for corrected copies here.

LEGISLATOR GULDI:

Wait, wait the photocopies, we're going to redistribute additional copies of the corrected copy, because not everyone had them. Jeanine is making them right now. Stuart Lowrie needed to be heard and he has to leave. Could we take him out of order, at all topical, we're waiting for the photocopies.

LEGISLATOR FISHER:

Yes, I'll second that motion.

CHAIRMAN BISHOP:

Okay.

LEGISLATOR GULDI:

I did catch him at the door.

CHAIRMAN BISHOP:

All right.

LEGISLATOR GULDI:

You've got to be ready now, Stuart.

CHAIRMAN BISHOP:

Motion to a -- did we ever bring this before us?

LEGISLATOR GULDI:

This has not been brought in out of order but I'd like to make that motion as soon as Jeanine gets back with the photocopies.

CHAIRMAN BISHOP:

We'll do that.

LEGISLATOR GULDI:

While everyone -- the discussion is so fresh.

CHAIRMAN BISHOP:

Okay. We did 2322, we approved it.

LEGISLATOR GULDI:

Legislator Fisher has been jumping at the bid to do this and I said no, I'm sure Mr. Lowrie doesn't want to jeopardize this discussion.

CHAIRMAN BISHOP:

Sir, do you prefer the podium?

MR. LOWRIE:

I'm happy to sit here.

CHAIRMAN BISHOP:

Please sit.

MR. LOWRIE:

I like sitting. I'm not getting much sleep these days. Twins. I assume I'm being taken out of order here, in order to comment on it. A couple of resolutions, which the Committee Chair has brought forward and a member of the committee, Legislator Caracciolo has brought forward and let me compose a few thoughts here. First that the environmental community is delighted to see the Legislature taking an interest in this issue and we certainly look forward to working with both Legislator Bishop and Legislator Caracciolo in an ongoing dialogue to see what kind of resolution might be the best outcome.

I'd like to preface all of those thoughts though by saying first that I think the environmental community would like to see the final T crossed and I dotted, with respect to the impact of proposal II on the possibility to bond or not bond against income from the environmental components of the Quarter Percent Drinking Water Program.

So I would appeal to the Committee Chair to move with dispatch to resolve that issue to the satisfaction of the Legislature once and for all in some sort of written format. That said, we would welcome a chance for dialogue with both Legislator Caracciolo and Legislator Bishop and we would ask if it's at all possible that both these resolutions be tabled, until such time as, all of the environmental community can work with the two Legislators and hopefully, achieve some significant compromise and proposals that are now before us.

CHAIRMAN BISHOP:

Go ahead. Legislator Alden is first.

LEGISLATOR CARACCILO:

Would you suffer an interruption?

LEGISLATOR ALDEN:

Go ahead.

LEGISLATOR CARACCILO:

Because I'd like to comment on your last remarks, Stuart. As a result of a meeting, I believe, took place earlier today, between Legislator Bishop and some other Legislators, yourself and some other representatives from some other environmental organizations. He and I have, I think, laid out a framework to initiate a resolution to the issue of Proposition II and counsel had prepared for me several alternatives, which Legislator Bishop and I will be conferencing on and I think, based on the framework we have tentatively agreed to, have something for everyone very soon and I look forward to that. I want to thank, as Legislator Bishop, not only is the Chair of this Committee but in the past, as a member of the Parks Committee where this type of work would come up with regularity, going back and looking back at the evolution of the various Quarter Percent Programs. Dave has always been very fair and demonstrates a willingness to work on behalf of East End interests as much as he has on West End interests and with that, I know Legislator Guldi and I are very appreciative.

CHAIRMAN BISHOP:

Why don't we -- no it's not? It's my alter ego. Why don't we just lay out quickly what the

framework we're discussing is? This is in regarding a new referendum for November that would authorize borrowing against future revenues in the Quarter Percent Program and what we're discussing tentatively and of course, we want to have everybody's input to see whether it's something we all want to do is allowing for two thirds of the revenue on the open space, which would be roughly seventy five million, to be principled that we could borrow up front. Two-thirds on the surface water, which would be roughly sixty six million, I believe, or is it actually sixty three million to be borrowed up front and then about forty percent for farmland, which is twenty five million. So if the voters approved it, those amounts would be the principal. The revenue stream would be in place for eleven years to pay that back and still have significant funds left over for pay as you go. So hopefully, we'd strike a balance between pay as you go and an aggressive land purchase and environmental cleanup policy. Furthermore, the referendum would envision a very low interest rate. In fact, it would be written into the referendum that we could only issue bonds at an interest rate, which would be fifty one percent or less of the prime rate. So roughly half the prime rate. Well that's -- that figure is used because that's what the current State Program provides for and we don't want to -- we want to lock the State into that, so that's why we'd go that way.

LEGISLATOR GULDI:

If I may? The devil is in the details are certainly agree that the direction is a good one to go and I'd like to see that.

CHAIRMAN BISHOP:

Yes. Legislator Alden, I apologize.

LEGISLATOR ALDEN:

That's all right. I just want to clear up any misunderstanding on the original bill. Because it was Legislator Rizzo and I that drafted the original bill and there was no intent. That was a strictly a pay as you go program. So there was no intent to be able to borrow off of those -- any using those funds as revenue stream to pay off any type of debt service. So in case that comes up again. Because it has been coming up again, I noticed and I think an editorial and a couple of other things.

MR. LOWRIE:

We're eager Legislator Alden. We're eager to see that particular chapter behind us.

CHAIRMAN BISHOP:

Well, whatever -- whether you fiscal conservative or environmentalist, we all agree that the public should be clear on what they're voting on. So this time, as we move forward, we're all going to be very clear and --

LEGISLATOR GULDI:

We'll be very clear.

CHAIRMAN BISHOP:

So what's being proposed and what the implications of it are?

LEGISLATOR ALDEN:

My point was that the original proposition was very clear. It was a pay as you go program when it was approved by the voters.

CHAIRMAN BISHOP:

I understand. Thank you.

LEGISLATOR GULDI:

Mr. Chairman, I'd like to move to take 2319, which has been distributed --

CHAIRMAN BISHOP:

Okay, thank you very much, Mr. Lowrie.

MR. LOWRIE:

You're very welcome. Thank you.

CHAIRMAN BISHOP:

I appreciate your work in helping us frame this.

LEGISLATOR GULDI:

I'd like to make a motion to take 2319 out of order.

CHAIRMAN BISHOP:

Second. All in favor? Opposed? 2319 is now before us.

LEGISLATOR GULDI:

And I'd like to make a motion to approve.

CHAIRMAN BISHOP:

Okay, now this is, is the vehicle, right? There's another Jacobs Farm Resolution on here?

LEGISLATOR GULDI:

Yes, actually the other Jacobs Farm Resolution was -- the County Executive and I agree. Janet DeMarzo told me earlier that she's reviewed the offsets in the corrected copy and the

County Executive is supporting it. If that's incorrect, please correct me. Thank you. Oh, there you are. You are in the room. Thank you.

CHAIRMAN BISHOP:

1833 is withdrawn? Is that what you're saying?

LEGISLATOR ALDEN:

1833 is --

LEGISLATOR GULDI:

The other one -- we can certainly withdraw the other one after we dispose of this one.

LEGISLATOR ALDEN:

Well it has to be stricken anyway. It modifies the 2000 Budget.

LEGISLATOR GULDI:

In any event, yes but let's deal with 2319, which is before us.

CHAIRMAN BISHOP:

That's the one before us. Now, we have a motion to approve by Legislator Guldi, second by Legislator Caracciolo. Legislator Fisher, do you wish to speak on the motion?

LEGISLATOR FISHER:

No, I was seconding it.

CHAIRMAN BISHOP:

I'm sorry. I apologize.

LEGISLATOR GULDI:

Mike, did you second it?

LEGISLATOR CARACCILOLO:

Yes.

LEGISLATOR GULDI:

Oh, okay.

CHAIRMAN BISHOP:

Yes?

LEGISLATOR BINDER:

On the motion?

CHAIRMAN BISHOP:

Okay on the motion, Legislator Binder.

LEGISLATOR BINDER:

Okay, so I just want to make it first and clear here is the Port Jefferson offset. Is that four point three million dollars? The whole thing is four point five million to us, my understanding is, right?

CHAIRMAN BISHOP:

Yes.

LEGISLATOR BINDER:

So how much is the offset from -- now that we have this in front of us? The Port Jefferson offset is how much? Even Budget Review can give me that if they want. Just grab a microphone if you can?

MS. VIZZINI:

It's is roughly four point one.

LEGISLATOR BINDER:

Okay, four point one million dollars out of Port Jeff. The District 21 is how much?

MS. VIZZINI:

It's three hundred and thirty thousand.

LEGISLATOR BINDER:

So the three hundred and thirty thousand, that's for planning, design and supervision? Because I understood that they weren't going to be doing construction, I know, in number one. So you went to the construction line. On this one, there's just one line which is planning, design and supervision. So they're not even doing planning design and supervision at Sewer District Number 21, is not -- it wasn't even in the cards to do that at all.

MS. VIZZINI:

According to Public Works, we are awaiting SUNY to determine scope of what their needs are for these improvements.

LEGISLATOR BINDER:

What if they gave us that in a month?

LEGISLATOR GULDI:

Ben was addressing this before. Why don't we let him do it? He's still here.

MR. WRIGHT:

Two issues with SUNY. One is the Bond Act; Clean Water Clean Air Bond Act that we have applied for in the last couple of years and have not yet received and we don't expect that until the end of this year, if it is successful. The other is we've had meetings with SUNY about what their needs are with the construction that's going on in their ultimate assessment of capacity and we haven't gotten to the end point of that. So with those two issues, even coming later on this year, we don't see any initiation of any planning or design funds.

LEGISLATOR BINDER:

Okay, so no utilization at all?

MR. WRIGHT:

No.

LEGISLATOR BINDER:

Okay. So we're talking between the two then. That's four point four or four point five million. So how is it that we need another -- if the whole thing is four point five, if the first one is four point one and the second one is, let's say, three hundred thousand, so we have four point four, almost four point five probably between the two there? Why do we need another five hundred thousand dollars from Land Preservation Partnership? We've seem to have gotten to the right number on the first two offsets, rather than using another five hundred thousand dollars also from Land Preservation Partnership. That would give us the total of about five million. It's kind of pretty simple math here.

LEGISLATOR GULDI:

Other programs.

LEGISLATOR BINDER:

What?

LEGISLATOR GULDI:

There's other parcels, right? There's other parcels. My understanding is there are other parcels and filed bills that are looking for Preservation Partnership money and that's --

LEGILATOR BINDER:

No but this particular acquisition, Jacobs Farm, we're being told our cost, County cost is four point five million dollars. I'm now adding up five million dollars between three programs to offset to fill Preservation Partnership and then another five hundred thousand from the preservation partnership itself. So pretty simple math gives you five million dollars and I thought we only needed four point five.

MR. SABATINO:

What's happening is you're appropriating five million dollars in serial bonds, because the projected acquisition costs, including things like appraisals and title insurance and you have the other associated expenses, were projected to approximate that amount. This offset of the four point four, five million dollars, the four point three nine, which came about was to try to get you as close as possible within the available offsets that we had, knowing that you may come someplace between that four point four in the five million dollars. What's not spent from the appropriation, as Legislator Guldi, indicated would then be available for whatever the other acquisitions are in the pipeline. But you have to appropriate some amount that kind of reaches your projected cost.

LEGISLATOR BINDER:

Okay, so the possibility, the outside possibility is that this acquisition will be ten million dollars not nine million dollars. There's another million dollars in play. That's possible that there's another million dollars in cost to this project? It doesn't seem to me that -- but even the soft costs.

MR. SABATINO:

Also --

LEGISLATOR BINDER:

Let me finish. I'm assuming the soft costs are fifty percent to us, fifty percent to the town in Preservation Partnership. That we're not a hundred percent up for -- my concern is that if we're going to be out there bonding, then everything is fifty, fifty.

MR. SABATINO:

Right.

LEGISLATOR BINDER:

And that we're not stuck for costs because we have the money but they didn't bond for whatever other costs come up.

MR. SABATINO:

I think, to be fair to everybody, because this is in negotiation, you don't want to appropriate, you know, I mean exact forty two cents or to the decimal point figure, because in effect, you've kind of comprised your negotiating process. So I think that what, you know, the talk about it is that there's projected five million dollar acquisition costs but that means just a projection of --

LEGISLATOR GULDI:

I think that --

MR. SABATINO:

In general.

LEGISLATOR GULDI:

If I can interject? I think that, that's exactly where the five million-dollar figure came initially. It was out of my head because it was sort of what I was thinking it was worth and as the project moved along, I mean, with all respect to soft costs, appraisals, the appraisal is done, the survey to the extent that it's necessary is done. I mean, you're talking title insurance and you're talking, you know, closing costs and Allan, I've been discussing this with real estate and as to how to meet the deadlines, because I mean literally, we're talking until January 29th meeting and a January 31 to close. This I've got to see. They're obviously going to be using escrow and they are probably going to be waiting for money because of appropriations and vouchers and the like. The five million-dollar exact figure probably came out of my head. The figures that you heard are more accurate. The fact is that anything -- surplus in the account will be available for offset for the Capital Program for other purposes. The authorization is up to --

LEGISLATOR BINDER:

Right.

LEGISLATOR GULDI:

So we'll have the exact number certainly before we issue bonds anyway.

LEGISLATOR BINDER:

I guess my concern is as we're sitting here, there was a feeling or at least and a presentation by the town that the authorization was up to nine million. I mean that's about what it was going to cost. The difference between nine and ten million is a considerable difference in price. So if we go out and bond five million instead of four point five, are we giving the County leeway along with the Town to move to a ten million-dollar figure?

LEGISLATOR GULDI:

No, we're not. In fact, the deal, my understanding and correct me -- come forward to a microphone if you need to. Correct me if I'm wrong. The terms of the parameters of the deal

are agreed to. We know what it's going to cost. We know how we're going to do it. Our share is going to be four and a half million dollars. The survey is done. The appraisal is done and we're ready to rock and roll on this. Is that correct?

SUPERVISOR SCHNEIDERMAN:

Yes, nine million is the price. If the soft costs are an issue, I'm sure the town will pick up the soft costs. We did that in Shadmoor, which had extensive soft costs and please don't let that be the issue that hangs us up.

MR. SABATINO:

We can change the number typed and still -- we haven't passed a deadline for the corrected copy. I mean, I thought that we were factoring in to try to keep this nebulous from a negotiating standpoint. If that's no longer the case, then I would recommend you --

LEGISLATOR GULDI:

That's not only the case on this particular transaction.

SUPERVISOR SCHNEIDERMAN:

Four and a half will do it.

MR. SABATINO:

Back at the time that we drafted it, I mean that was --

LEGISLATOR BINDER:

Let me ask counsel? I ask counsel, if there's a necessity to keep in Land Preservation Partnership that, at least, some dollars come out of that or are we transferring in and then transferring out anyway, so it doesn't really matter? What I'm saying is maybe we could just use all offset, no original dollars in Preservation Partnership, so we know that two million dollars still exists in the program.

MR. SABATINO:

Well, you're going to be -- I understand what you're saying but you're going to be short fifty, let me see sixty thousand one hundred dollars.

LEGISLATOR BINDER:

So use that.

MR. SABATINO:

So the reality is you're going to have to use sixty thousand one hundred dollars.

LEGISLATOR BINDER:

Okay.

MR. SABATINO:

Under any circumstance. So my recommendation --

LEGISLATOR GULDI:

I don't think we need that accuracy. We know what it's going to cost. The money will be in the account and available for other purposes.

LEGISLATOR BINDER:

But causing the restriction is a cap.

CHAIRMAN BISHOP:

Right.

LEGISLATOR BINDER:

And so that doesn't give anyone the ability to go out and renegotiate again since we supposedly have --

LEGISLATOR GULDI:

We have the possibility to make a change?

CHAIRMAN BISHOP:

Yes, are you negotiate something and then vote against it?

LEGISLATOR GULDI:

Did I hear a yes?

LEGISLATOR BINDER:

Right, yes.

LEGISLATOR GULDI:

Okay, then make the change. So we'll approve it subject to the change. We'll file a corrected

copy and we'll approve it and get it out of the committee, okay?

LEGISLATOR BINDER:

Okay now and just my comments on it. I want to -- I just want to thank the sponsor for making the changes. I had a lot of concerns and the sponsor knows going into this, about this and one of my concerns was you're depleting these funds and depleting the Preservation Partnership Program. Huntington has been a big utilizer of it, as you know. We bonded in Huntington over fifty million dollars and so have used this to a great extent and an important extent in the town that I -- part -- one of the towns that I represent. Also, I and I appreciate the Supervisor and Councilman coming. I also got a call from Councilwoman Weir who I know somewhat. We have spent some time on the phone and she spent a lot of time convincing me and answering a lot of my questions. My last questions were those on the funding mechanisms to make sure that I was comfortable but from an East End perspective, as I said, Councilwoman Weir spent a lot of time with me and helping me to see how this would fit into their program and how it fits into a total County Program. I'm comfortable with it and with those changes, I'll vote for it.

CHAIRMAN BISHOP:

Is this the final large initiative from East Hampton for 2001? Are we anticipating anything?

LEGISLATOR GULDI:

Are we anticipating -- well, if you ask them, they'll come up with more that they want, I'm sure.

CHAIRMAN BISHOP:

For this year. I'm not saying forever.

LEGISLATOR GULDI:

Whether or not we're going to give it to them, it will certainly be up to this body.

SUPERVISOR SCHNEIDERMAN:

As to what we went through today, we might not be coming back for a while. I don't anticipate anything large coming at you within the next year, so that hopefully, will be it for a while.

CHAIRMAN BISHOP:

All right. Well, congratulations on your nomination to Secretary of Interior.

SUPERVISOR SCHNEIDERMAN:

I want to -- it sounds like we have the votes. I want to thank you all for getting behind this. I hope that the full Legislature follows your lead. Thank you.

CHAIRMAN BISHOP:

We have a motion to approve by Legislator Guldi, second by Legislator Caracciolo, who asked to be the second. He is the second. All in favor? Opposed? The motion is carried unanimously, remarkably but you never know.

**I.R. NO. 2322 (P) Approving acquisition under Suffolk County Land Preservation Partnership Program (Property of Peconic Land Trust) Town of Shelter Island.
(Legislator Michael Caracciolo)**

VOTE: 7-0-0-0 APPROVED

LEGISLATOR GULDI:

Thank you for it.

CHAIRMAN BISHOP:

All right, now we only have about thirty-two more items on the agenda. All right, anybody else with cards here on measures before us? All right. Ruth Cusack. Do you have a card? You want to speak? Well, Ruth go ahead.

MS. CUSACK:

Okay, I think we're on the same topic but --

CHAIRMAN BISHOP:

You don't want to sit?

MS. CUSACK:

Actually I need to stand.

CHAIRMAN BISHOP:

You need to sit.

MS. CUSACK:

It's been a long sit.

CHAIRMAN BISHOP:

All right.

MS. CUSACK:

Thank you and I will be brief. It is about the controversy over the defeat of Proposition II and we have taken cognizance of what you just said about the two bills you have up to date. Before you make any final decision about them, won't you please revisit the issue of whether you need to do this legislation, of whether the bonding is possible? I heard what you said Mr. Alden. I refer you to two things. I think you all have received a letter from Fred Thiele and Steve Englebright, who are members of the Assembly and who were here as Legislators when this legislation was passed back yonder and they talk about the original legislation, subsequent legislation about the quarter percent sales tax and local finance law. They say, they will leave existing law -- clearly authorizes the County to bond to acquire land under the Drinking Water Protection Plan, which you don't really need additional and the other thing I would refer you to is without seeming to just argue with you, is to go back to your May 9th, minutes when you -- that's the date that you approved I.R. 1206, which become R 13, which went on the ballot and there was several questions back and forth.

Mr. Pollert seemed to be the one answering and in response to a question about what would happen if it's not approved. He said if it's not approved, there are no guidelines and then he said the County could purchase land immediately using bond proceeds to be repaid with the revenue stream from the sales tax. So I didn't make a note of the other before and after ones but it might be worth revisiting the conversation at that time and see, you know -- that implies that there was a feeling that if this was defeated, you still could do bonding and I agree with what you're saying. We agree with what you're saying about being sure that there is clarity of language, clarity, first of all about what you want. What you intend to put on the ballot, if you put something there and then being very careful about the language that is used. It did not say pay as you go. Granted, the original 1206 did use pay as you go in the title but it wasn't in the words that went on the ballot and so of course, the voters didn't see it.

When you see the word limit, the assumption is you're bringing it down from somewhere. Without this language, you're allowed to do more. If it meant that you were starting from a floor of nothing, then the wording should have been to permit up to one quarter or something of that sort. I know that's water over the dam but we're talking about the future and emphasizing what others are saying about being sure that you know what you want and then that's expressed to the public and in line with that, also to suggest that you make good use of this Website that you have and when you pass something that would be on the ballot, put it in there immediately. Put a red bullet or something by it, so people know that it's there and can research it and start deciding whether they want to do pros and cons and so forth, as the lead does with the proposition guide that we put out.

I might also say, in respect with that good Website that you have, the minutes of your meetings aren't there, starting way back August and even the hard copies of the minutes. I asked about the minutes of your December 19th, meeting I think it is? It won't be ready until sometime in February. If there is some way to speed those up, it would help to have the citizens stay connected with what you are doing.

LEGISLATOR BINDER:

I can't speak for the Clerk's Office but I think the move had a lot to do with just getting way behind.

MS. CUSACK:

Okay but I understand that and it is a change of the year. But I wanted to make one

suggestion when you do start getting caught up, if it's a matter of time and personnel, rather than starting to put what's there in August, start with the most current. Because that's what we all would like to see right now, okay? Thank you.

LEGISLATOR FISHER:

Ruth, thank you and I certainly agree with what you said that we certainly have to be clear on what -- on our wording for ourselves, as well as for the public.

MS. CUSACK:

Yes because I really --

LEGISLATOR FISHER:

Because I was under the same impression that the public was, I'm embarrassed to say. But I agree with what Steve Englebright wrote in his letter that I thought that New York State gave us the authority to bond.

MS. CUSACK:

Right and --

LEGISLATOR FISHER:

That was always my understanding and so I saw this proposition as a limiting proposition and not one that would give us the authority, because I believe and still believe that we have the authority to bond.

MS. CUSACK:

Okay.

LEGISLATOR FISHER:

But thank you, it's very important for us to clarify for ourselves, as well as for the voter.

MS. CUSACK:

Okay, thank you.

LEGISLATOR ALDEN:

Dave, just a quick response? All right, never mind.

CHAIRMAN BISHOP:

Okay. Thank you, Ruth. Mr. Amper from the Pine Barrens Society.

MR. AMPER:

Yes, we obviously have a great interest in this and I've been trying to sort of sort this out, as to what makes the most sense. It is our council's interpretation of -- that you do have the capacity to borrow, under State Finance Law, under a Municipal Law but rather than for us to -- I want to defer to Mr. Sabatino, as a person who clearly knows the law better than I do. But I want to have you look at the reasons why you might or might not want indeed to have some prohibition on borrowing, so that once the Legislature gets a sense of what it would like to have the power to do both economically and environmentally, it will be easier to craft solutions.

So the very first thing that I'd want to look at is the strictly economic implications of the Quarter Penny Sales Tax Program. You were correct in complaining about the prospect of some of these lands appreciating by as much as forty percent. We also have access to the first time, something that the Legislature was not dealing with in either the 1999 or the 2000 proposition and that is the State Revolving Fund, a zero percent three year program, a two point nine percent, a borrowing long term program. I would suggest to the most fiscally conservative, most fiscally responsible member of the Legislature that you would not want to do anything to encumber your capacity to make the best deal for the public. If you knew the land was going to appreciate by ten or fifteen percent, you might want to take a three-percent loan or even a five-percent loan. It would make more fiscal sense to do that.

By authorizing bonding, either interpreting the law, as our attorney has interpreted or changing it in November, you give this Legislature the opportunity to meet it's fiduciary responsibility to the people by getting the best possible deal. If, in fact, to bond would, in fact, be wasting money, you could choose not the bond it. But if you have not built in, if you have a strictly pay as you go or mostly pay as you go program, even if you could make a great deal for the public, you wouldn't be in a position to do it. I think you don't want to hamstring yourselves for those of you who have made a commitment to fiscal responsibility are all the people in the County. I think you don't want to limit your capacity to do that. If, in fact, the 1988 language were used and it were interpreted precisely as the program was interpreted from 1988 to '98, this Legislature would still be in a position to say, we want to borrow now; we don't want to borrow tomorrow. This is a good thing to bond for. That's not a good thing to bond for.

Here's our predicament. We afraid, as we look at the last open space on Long Island and we'll talk about where it is for just a minute, in a minute. But we're looking at that diminishing at an enormous rate and the development pressure is unprecedented. Wherever this economy is going, the supply of land available to this County to preserve is going down and as it goes down, it's going to be increasingly valuable and we're going to have to buy it. Now, you folks made a commitment again to renewing this program in 1999, to continue the campaign that is to extend the philosophy and the direction of the Drinking Water Protection Program and we said to the public, if you cough up this money, including by the way, some for the tax stabilization component and for the sewer district stabilization, if you cough up this money, if you support this referendum and allow us to continue the quarter penny sales tax, a third of this roughly will be used to buy open space. It wasn't just -- so it would be there to buy it. Well, it was a thirteen-year program.

The total build-out of Long Island is projected by the County Planning Department isn't that long. So, in fact, if we don't have the luxury of borrowing or using a line of credit, for example, from the State Revolving Fund, a, we're going to dishonor the commitment we made to the public. We're going to lose parcels. People are going to say we hope willing sellers are going to come forward and say, I want to sell my land but I need to sell it now and we're going to run out of money. Our guess is that we run out of money during the course of the Year 2001. We're getting phone calls from people who ordinarily don't call us. Developers saying, I'm anxious now, for the first time about the resources or the will of the County to do this. We don't want to dissuade them. In addition, what properties we can buy

will be purchased at a price much larger, if we have to buy them a year or two years from now, even if they are still available. So whether you're looking at it strictly environmentally, as we were in 1987 and 1998, saying this stuff is not going to be here. We have to buy it. If we have to pay a premium and by the way, if the public says we're willing to pay the premium, we may want to be deferential to the will of the people there too. When we ask them, do they want to do this? They say yes. When they ask them explicitly, do we want to put it on as a pay as you go basis? They say no. That's the record so far. So I'm saying, as fiscally responsible people who want to do the best, get the best bang for your buck for the taxpayers buck, you want to make sure that you have the capacity to borrow or not borrow, when it's fiscally prudent to do it and environmentally, we know full well that we're going to lose these properties to development, if we don't have the resources. Increasingly, we're hearing the whole story about willing sellers. Willing sellers have to believe that there's an opportunity to have their land purchased by the County or they're not willing sellers. So it's the cart before the horse there to some extent.

Maybe there is a need for a long-term resolution. But I'm just -- off of the top of my head, if I felt that the majority of the members of the Legislature had sat down, looked at the economics of this, found out what it was going to cost to buy land a year, or even two years from now, found out what it is that we could borrow for and put them together, I think, the most fiscally conservative member of this Legislature would say, maybe we want to have the capacity to do this. Maybe we want to. At least, have the option. So if you were going to build something into a referendum for the fall, you might want to say, let's not hamstring ourselves. Let's give this Legislature an opportunity to make the choice. It made a good choice up to this point. If they think that they want to make a different choice because of different economic times, it's still your authority. It's not something that we can make you do but you ought to have the capacity to do it, both for the sake of the environment and for the sake of the economy.

It's gangbusters out there on the East End and let me take just a minute to deal with the East End, up island thing. You've heard other people say stuff that I don't want to repeat. I think it's all true. We routinely pull in the survey people. I don't get above five percent statistical significance, but maybe we'll have to do that further and we find that the people in the Western Towns very much appreciate the preservation that's going on the East End. They don't leave your legislative district and say, we're leaving the Western sector. We're leaving the country. They view these open spaces as theirs and at the same time, they're supporting two hundred million dollars in subsidies for sewers, which are not directly benefiting the East End population. They think that's a right thing to do from a standpoint of environmental responsibility of the County, as a whole and moreover, those local towns are going to spend some two hundred million dollars over the decade began 1998, that requires no contribution from the County in that -- there's two hundred million dollars being spent by the people who live out there for a resource that's going to accrue to the benefit of everybody who lives here.

So to the extent, understanding that you're elected by constituents in your own districts and you have to represent their interest, it may be their interest coincide when it comes to open space. When they want to go pick pumpkins or pick strawberries or go to wine country or go fishing or boating, they go to their park and it's not going to be a park, if we can't protect it. Either a, because we don't have the money or b, because we're spending too much of it. For the first time we're looking at the possibility of where, if we delay purchases, it will be gone and unobtainable on the one hand or that we're going to pay decidedly more money for it than we really want to. I had my druthers, I'd decide and agree among the Municipalities and County and State Government what portion of the remaining open space in Suffolk County are to be preserved and what was okay to develop very much, as we did in the central Pine Barrens. That done, I would go out and close it immediately. The developers would not have any speculation or worry or nimbi or litigation or battles in the court of public opinion. We would do, just as we're doing in the Central Pine Barrens. If that's to be developed, develop it. If it's to be preserved, let's preserve it while we still can.

Finally, the a -- that's where you were going with that? That was that gesture? It wasn't on the cue card but I got it. You've got two different resolutions. It would be wonderful if the people who were sitting around with you when we extend or -- probably were extending the program in 1998, sat down again and figured out what's the way that makes most sense. In the meantime, I'd ask this. We'll make our attorney available to Mr. Sabatino. He's already looked at the opinions from Thiele and Englebright. We want State Legislative Counsel in Albany to say this is what we believe that you can do. I would ask you by consensus, simply to turn to him, go back and revisit the possibility that maybe we did not, in fact, deny ourselves the capacity, either a, to borrow or especially b, to benefit from the State Revolving Fund, which is a line of credit, slight distinction but a different distinction. Maybe we're okay. Maybe we're not going to run out of money this year. Maybe we can borrow when we want to on authority that we already have and then that gives us a little bit more time and a little bit of comfort to get down to the November referendum, in which the most pro-environmental and the most pro-economic members of this Legislature sit down and say, is there not, in fact, a solution that benefits both the economy and the environment and that allows this program to go forward as, I think, most of the people of Suffolk County want it to go forward.

Happy to answer any questions but this is not a confrontation. This is not a legal challenge. This is not even saying we're right and Mr. Sabatino is wrong. We're saying it would be useful to all of us, if he'd go back and look at some of the arguments that are being raised by very knowledgeable people. People who are as committed as you folks are to environmental and economic responsibility and see whether there's any misunderstanding or any capacity or any possibility that there's been a misunderstanding about what you are and aren't allowed to do.

CHAIRMAN BISHOP:

Thank you. Before I go to Legislator Alden, I see some of the County Executive's people in the back. Can they answer a question, which perhaps they can't? They don't have the knowledge here right now but I'm under the understanding that the County's Bond Counsel has concurred with the opinion that the referendum did not actually authorize bonding and because it was defeated, there is no authorization to borrow against future revenue. Is that correct?

MR. GRECCO:

That is correct. Bond Counsel agrees with Mr. Sabatino.

CHAIRMAN BISHOP:

Okay.

MR. GRECCO:

As does the County Attorney.

CHAIRMAN BISHOP:

Could you get us a written opinion, if one exists on that?

MR. GRECCO:

Yes.

CHAIRMAN BISHOP:

So that we can move this dialog forward?

MR. GRECCO:

Yes.

CHAIRMAN BISHOP:

Since people seem not to believe that, so --

MR. GRECCO:

I can give you a brief synopsis of their opinion.

CHAIRMAN BISHOP:

I don't need the synopsis.

MR. GRECCO:

No? Okay.

CHAIRMAN BISHOP:

I need the written opinion, if I can get it.

MR. GRECCO:

Okay.

CHAIRMAN BISHOP:

Thank you very much.

LEGISLATOR CARACCIOLO:

Can I say something?

CHAIRMAN BISHOP:

No, Legislator Alden is next.

LEGISLATOR CARACCIOLO:

Can you suffer an interruption?

LEGISLATOR ALDEN:

Go ahead, Mike.

LEGISLATOR CARACCILO:

Mr. Grecco? What would be the significance of Bond Counsel's opinion?

MR. GRECCO:

Well, that affects our ability to get money.

LEGISLATOR CARACCILO:

I think, the record needs to be, you know, clear as to what the significance is.

MR. GRECCO:

Bond Counsel is Tom Rothman from Wilke Farr and Gallagher, who we've used as Bond Counsel for a number of years. He's knowledgeable in this field. We believe his opinion can be accurate as is Mr. Sabatino and Mr. Cimino's. They're all, you know, well respected men in the legal profession.

LEGISLATOR CARACCILO:

Thank you.

LEGISLATOR ALDEN:

I'm just going -- through the Chair.

MR. AMPER:

No but I do -- yeah, I do want to go through the Chair. You understand that Bond Counsel has not seen these opinions. These alternative opinions.

LEGISLATOR ALDEN:

But also, through the Chair, the '98 resolution that I believe you referred to, Alden, Rizzo resolution was to do away with refinancing bonds. So it was a pay as you go type of resolution to begin with so --

MR. AMPER:

I can't find it in legislative intent. I can't find it in the language of the law. I can't find it on the item that appeared on the ballot.

LEGISLATOR ALDEN:

Well, I can tell you for a fact.

MR. AMPER:

It may have been your intention but none of this --

LEGISLATOR ALDEN:

I can just tell you for a fact that there was at least fourteen meetings that I attended. At least fourteen meetings, where the primary focus of the meeting was whether we refinance our bonding and cost the people in Suffolk over two hundred and twenty million dollars. Or whether we'd go with a pay as you go, an extension of the quarter cent sales tax. Even where the argument was made that the original intent to put the sewers in was to protect drinking water, which some people lost track of that too. But the original intent of that -- when you put sewers in, you protect the environment and you protect drinking water.

MR. AMPER:

Can we bond on that program?

LEGISLATOR ALDEN:

The original program? You probably can because that was a New York State Program. But the extension was clearly to eliminate the process of going through the re-bonding and refinancing of debt, to lower the debt service that we had to pay in Suffolk County.

MR. AMPER:

I've seen that in the portion that dealt with open space. I don't see it in any other portion, which is also --

LEGISLATOR ALDEN:

It was the whole intent of the bill. As a sponsor of the bill, that was my intent.

MR. AMPER:

Wish we had seen.

LEGISLATOR ALDEN:

And that was the debate that went on. The second thing is just to be clear about it, right now, we're going forward with some competing resolutions that would modify that to the extent that we can bond on it. That we can use that money for debt service, which I do not support at all. I think we're in a fiscal crises right now and I hope the rest of my Legislators, the other fellow Legislators realize that. That when you run up debt service that takes away from other programs that you can run in the County.

MR. AMPER:

I'm a little confused. It seems to me that at a time when you were at your most fiscally difficult that would be the time that you wanted to make the most efficient use of your land acquisition dollars, yes?

LEGISLATOR ALDEN:

We don't have the money coming in. That's the whole point. The money is not coming in. The sales tax is coming in; the revenue is way down.

MR. AMPER:

You would certainly not want to bond against money that, in fact, wasn't coming in and they wouldn't let you do it.

LEGISLATOR ALDEN:

One other point though, I think too.

LEGISLATOR CARACCILO:

Well, I think --

MR. GRECCO:

Let's clear up some points.

LEGISLATOR CARACCILO:

Yes.

MR. GRECCO:

If you listen to the tapes of the Parks Committee when Legislator Caracciolo introduced his resolution, which ended up on the ballot. There was significant discussion and understanding that we did not have the ability to bond, okay, point number one. Point number two, I think the confusion lies in the fact that we had a quarter percent sales tax, which was extended. No one is disagreeing that the sales tax was extended. The confusion and the split of authorities on both sides seem to be as to whether the programs were extended. If the

original Drinking Water Program was extended, clearly we had the ability to bond. On the other hand, if you take the position that this is a brand new program, which I believe it is and there is no bonding ability in that program, there is no implied right to bond. So I think it was very clear to the Parks Committee at the time we had this discussion, the former Parks Committee.

LEGISLATOR FISHER:

But not to everyone on that Parks Committee. It wasn't clear to us.

MR. GRECCO:

Okay.

LEGISLATOR CARACCILO:

Well, at the time it was clear because nobody raised the issue at the time.

MR. GRECCO:

But the point is -- let me just address the reality between now and November, okay! We spent forty seven million dollars last year on environmental acquisitions. We have sufficient monies on hand right now to continue pretty much at the same pace. Now, the difference is where are these monies? Legislator Bishop wanted me to do a presentation today and I guess we're getting late, it will be -- I'll do it next time. But briefly speaking, it is primarily in farmland, through our capital farmland, our Greenways farmland and our new drinking water farmland component. It's in active parks and it's in those little drinking water accounts on West End Towns. So if you pie graph this whole thing, you'd find it's seventy five percent of the monies are in those type programs but when you're looking at East End Open Space Drinking Water type initiatives, the monies are not there. The Drinking Water Protection Program has ended. Those funds are dwindling. The Preservation Partnership Account is fully subscribed. That's the status of it. So we can continue preserving property. We can continue this tradition that we should all be very proud of. But just recognize that it's going to be a tougher fits. It's going to be mostly farmland. It's going to be mostly active parks. If the will of the County is to put something together for the voters in November, then so be it. I believe we can hold down the fort until then.

LEGISLATOR CARACCILO:

What type of development pressures are there with respect to farmland?

MR. GRECCO:

Enormous. Especially in Riverhead and that's where we are concentrating our efforts right now. If there is a primary target we have, it's Riverhead farms.

LEGISLATOR CARACCILO:

Thank you. Did you want to --?

MR. AMPER:

Just so that everybody understands both the last portion of what I handed out. Coming by you now is Local Finance Law, it's Title 1, Article 2 of the State Law that determines what you may and may not borrow for and the very first one is item, paragraph 21, which is land acquisition. Again, please, I am not here to say that my knowledge of this law is better than his or Cimino's or Bond Counsel's. I'm saying that if all of the information that is being presented to you causes people to look at this thing again and especially if you want it to. If you, as a Legislature, say that's right, if we want to be careful and only borrow when it makes sense to borrow, we need to have the authority to borrow. I think we do. There are a bunch of learned people that think we did in the 1999 referendum and if not, then any number of you can go into a room and say let's look at the fiscal picture now and see whether it makes any sense for us to retain that capacity when a new referendum is put before the public and I think, we'll try to make it very clear what the public is and isn't doing.

Here's my problem. I've already been instructed out of fear that action might not be taken to go back to the 1996 approach that the Pine Barren Society took when we went out and put a separate issue on the ballot through the referendum process. Now that's a lot of work for us. That was a difficult thing to do and we don't want to do it if we can do what we did in the end with the Legislature and come up with something that a, starts immediately and b, is going to do the job we all want to do and c, is going to allow us to do so at the best possible price. If we can do that, we don't want to go there. But if we go there, our concern has to be primarily the open space component.

So the formula that the environmental community is likely to produce for such a referendum can reasonably be expected to be heavier on the open space component and a little bit less concerned about this so called tax stabilization component that we disagreed about in the past and certainly not, by the way, the sewer stabilization. Because we did agree that, that's very, very important to public health and part of any Drinking Water Program ought to be the same. I just think it's smart for all of you to say this is how -- forget whether we understood it or didn't understand it, forget whether he's correct or our attorney is or Thiele or Englebright are correct, forget that for a minute. Find out in your heart of hearts as responsible Legislators what do you think it should be? If there had never been a program before, you were going to the voters for the first time this November. How do you want to design it to give you the maximum flexibility to make good solid buys for property that is available and what is the best way to do that and I think, I may be wrong but I'm coming at this in a very positive way.

I think you're going to find a very solid consensus that says you want the capacity to borrow where it makes sense and you want no compulsion to do so where it doesn't. I think it's commonsensical. I think if we could come up with a formula that made a ten year program, a thirteen year program and covered the open space needs, as well as the sewer district needs, I think we can do this. I'm suggesting two ways to do it. One is look back and be sure that we're interpreting it properly before we put this back on the ballot for the sixth time in twelve years and go to the public for the sixth time trying to understand what we need to do. Let's all of us agree before this exercise is over what we want to do and then we can proceed on that basis.

CHAIRMAN BISHOP:

I'm going to have to ask you to stop there because you're upsetting counsel.

MR. SABATINO:

Only because you rewrite history and you miss-state what took place in 1997 and 1998 and you failed to make the representation that you made when you came here in the early 1990's, complaining about debt service.

MR. AMPER:

Okay. It was raised in committee before. I agree. We're willing to fight about this if we need to. But the answer is we needed to know when we came back and complained about the acquisition program, it was that we thought land wasn't being bought. The explanation proffered was that there was no money to do so but that was not our conclusion. You were buying statement after statement on the page from the Pine Barren's Society, from as far back as 1988, saying we think we have to borrow against the revenue stream. All I'm trying to say today is in 1988, there was an honest healthy debate, whether that was the best way to go. There cannot be one in 2001, because whether you're talking strictly economy or strictly environment, it makes sense to be able to borrow when you want to. That's all.

LEGISLATOR CARACCILO:

Dick, while he was out of the room --

CHAIRMAN BISHOP:

Now you're upset.

LEGISLATOR CARACCILO:

Robert Lipp, who is with the Office of Budget Review and an economist.

CHAIRMAN BISHOP:

I can agree with that.

LEGISLATOR CARACCILO:

You made reference to the economic cycle and one you thought is the best time for the County to be in the business of acquiring land. Could you just reiterate that statement?

MR. AMPER:

I think, we're all astounded by how much we're paying for land today relative to when the Drinking Water Protection Program began. I think we're looking. Legislator Alden and Legislator Binder and you sir, were appalled to think that land could appreciate the way the Montauk parcel appreciated.

LEGISLATOR CARACCILO:

I still am.

MR. AMPER:

And we're looking at these numbers and we're looking at these numbers and we're seeing them to go up and up and I'm not an economist but there is a law called supply and demand and as it diminishes, this is a bold prediction here, I think all of you know that we're going to pay more for land tomorrow, more for houses tomorrow. We're going to pay more with

respect to real estate, as the supply dwindles. So I think that you're wise to get it while you can. The development pressure is enormous. It's running it up. Some people are spending thirty five thousand dollars -- I mean thirty five million dollars for somebody's house, it will be forty. When you're done having done this, I want to tell you that there is likely to be little that the members of the Legislature accomplish that more profoundly changed Long Island for the better. I don't think anybody is going to come back and say you were borrowing at three and a half percent in 2002, instead of the three percent, when in fact, the property is appreciating at even five percent or six percent. So open space is a good buy now, because there's so little of it left and moreover, we promised the public we'd preserve roughly a hundred and seventy five million under this program and we're not going to be able to do it, if it's gone.

LEGISLATOR CARACCILO:

Okay, the reason why I wanted you to repeat that statement was because what you have said now twice today is contrary to what our budget annalists have told us, as elected officials. This is not the best time, okay! Or I shouldn't say it's not the best time, depending on your perspective. It's a good time to be out there acquiring land and in fact, if the economy is going into a soft landing, okay! We've now had three consecutive months, which by some definite quarters rather, where by some definitions, we are in a recession, okay! People don't like to use that word. Then as Long Island found or Suffolk County, we found in the early '90's, we were the last ones -- one of the last metropolitan areas into recession in the late '80's and we were one of the last out of recession in the early '90's, okay! So we tend to lag elsewhere when we're in these economic cycles, as we appear to be nationally. That said, I'd like to hear from Budget Review as to whether or not they agree with your assessment or not. Analysis, Robert? Well, you shouldn't despise it; this is very elementary to what type of decision making has to take place here.

MR. LIPP:

How you doing? No, in a word.

LEGISLATOR CARACCILO:

Well, when you say no, no in response to what?

MR. LIPP:

Well, I'll elaborate. Budget Review has been consistent over the years saying that it was a mistake to borrow the first time around for the Water Quality Protection Program and we feel the same this time around. If you observe the previous time, what we found is when the borrowing peaked the market and we feel even though you cannot really properly forecast, because no one knows for sure what's going to happen in the future -- but if you look at what economic trends are and what most people are saying, we're probably not going to see significant appreciation of real estate prices now. We're probably closer to the peak already. Hard to say for sure admittedly. No one has a crystal ball. So I think what we would be doing is unnecessarily paying interest for properties that we would not see a significant appreciation price over the next few years.

LEGISLATOR CARACCILO:

When you look back at the one hundred and thirty five million dollars that the County bonded in the early '90's, how much additional land could have been purchased at -- would not have been present day real estate values, had we not bonded that money? In other words, when you factor in the interest cost associated with one thirty-seven, you're up to one eighty-

seven; about fifty million went to interest. If we had that fifty million dollars to purchase property, how many additional acres would have been purchased in Suffolk County?

MR. LIPP:

That would be difficult for me to say because I'm not sure what the --

LEGISLATOR CARACCILO:

Well, Fred Pollert knows the answer and he just walked in. So I've seen it in memorandums. I'd like to just state it for the record.

MR. POLLERT:

When you factor in what the average cost per acre was, it would have been in excess of ten thousand acres. I believe that could have been purchased, if you didn't have the additional debt service cost. But I would have to go back to double check. Currently, what the premiums are if you do the borrowing at the lower interest rates two point seven four percent, there's a premium of approximately twenty two percent if you do a borrowing with the lower interest rate.

LEGISLATOR CARACCILO:

Fred, is there --

LEGISLATOR GULDI:

Suffer an interruption please? Because I'd like to check on this calculation?

LEGISLATOR CARACCILO:

Just on the calculation.

LEGISLATOR GULDI:

On the calculation, Fred that is comparing -- Fred that's using your comparison to buy the acreage without borrowing versus with borrowing? What about -- what happens to the calculation if you take five-year market escalation in the cost of land, they say in the fast development areas like the East End and calculate the higher purchase price for your post recessionary acquisitions? Doesn't that more than offset the cost of borrowing?

LEGISLATOR BINDER:

Are you assuming so much extra speed that we would have had, since we had money coming in at a regular clip? Are you assuming -- I mean you're assuming a --

LEGISLATOR GULDI:

I'm assuming, I'm assuming what the real estate market on the East End, on the South Fork has done for the last fifty years.

LEGISLATOR BINDER:

We didn't bond --

LEGISLATOR GULDI:

Which has doubled in value every five to ten years.

LEGISLATOR BINDER:

Did we bond for five years? Or do we bond --

LEGISLATOR GULDI:

No.

LEGISLATOR BINDER:

One year in advance? So we were talking twelve months?

LEGISLATOR GULDI:

No what I'm -- listen to what I'm saying. The East End, the South Fork doubles in land value every five to ten years. My house, which is worth in the order of five hundred thousand dollars --

LEGISLATOR BINDER:

But you're talking as if we didn't --

LEGISLATOR GULDI:

Cost eleven thousand dollars in 1947.

LEGISLATOR BINDER:

Right, George but you're talking, as we didn't have money to buy with. In other words, if we bonded all -- five years worth in one year and we had five years worth of money in the first year, I understand what you're saying. The difference is we had cash flow. We had money coming in at a regular clip, which was expendable within the year. The only difference was, we were up fronting one year's worth and incurring cost. So it's only one-year worth of this speed you're talking about. That's not even one year, because we had money coming in to expend to buy land. We didn't get that much speed for what you're talking about, so we wouldn't have been ahead of this appreciation curve, it wouldn't have made a difference.

LEGISLATOR CARACCILO:

Okay, thank you both.

MR. POLLERT:

Could I just --?

LEGISLATOR CARACCILO:

My question was --

MR. POLLERT:

What the answer was is more appropriate six thousand acres and Legislator Binder's comment is correct. We almost wound up in a rebate situation because we borrowed the money and were unable to expend the money in a timely fashion as required by the Federal Law.

LEGISLATOR CARACCILO:

Okay. Dick, would you not acknowledge that under the -- excuse me. Would you not acknowledge that under the thirteen-year extension of the Quarter Percent Program that we are dealing with a finite amount of money? In fact, we're dealing with projections and as Legislator Alden alluded to earlier, we are beginning to experience, in the County this year, sales tax projections, significantly below in 2001 what was only forecasted a few months ago. That said, here's my question. We are dealing with a finite amount of money. Should not part of the equation be what is the best and why is this way to expend those funds to maximize land acquisitions?

MR. AMPER:

And the answer to that question is yes, completely and the way to do that is to give yourself the capacity to borrow at zero to three percent when it makes sense.

LEGISLATOR CARACCILO:

That's the initiative Legislator Bishop and I are working on.

MR. AMPER:

If the revenue isn't coming in, the Legislature is not going to borrow against it and Bond Counsel is not going to let you do it.

LEGISLATOR CARACCILO:

Okay.

MR. AMPER:

I'm just asking you to have the authority to use your good judgement.

LEGISLATOR CARACCILO:

I think there's a consensus bill in to do that. Final point and I really appreciate this Mr. Chairman, your indulgence. Because this is important. Final point. What happens if we were to just open up the checkbooks or the bonding books in this case and say okay, if we went out tomorrow and took advantage of what you believe is already authorization to bond the existing program to the full extent that we -- based on current projections, which now by the way, have to be modified downward, since they were made back in 1999. It wouldn't be a hundred and eighty four million dollars for this program. It would be something less. It wouldn't be sixty three million dollars for farmland. It would be something less. Having said that, there's a finite amount of money, which you agree. What do we do in three, four, five years from now when that jewel comes on the market that's not on the market today and you and I want to go out and preserve it and we don't have the money to do it.

LEGISLATOR BISHOP:

We'll still be here. It's a hearing.

LEGISLATOR CARACCILO:

It will still be in -- will it be here in perpetuity? No. We won't have the money to bond.

MR. AMPER:

The answer is first of all; we're going to lose land. We're not going to get new land. You know the old story; they're making new --

LEGISLATOR CARACCILO:

Right.

MR. AMPER:

Waterfront. No more people but not more waterfront. Look, the answer is that you do not want to lose key parcels available today for acquisition.

LEGISLATOR CARACCILO:

No one does.

MR. AMPER:

Wait.

LEGISLATOR CARACCILO:

No one does.

MR. AMPER:

No, predicated on the thesis that four or five years ago, you might not have the dollars to complete this. We've looked at the community preservation fund and what it's spinning off. We've looked at what the Quarter Penny Sales Tax Program is doing and we think we can go a long way toward completing that preservation effort and by the way, if we didn't and you ask your neighbors again to voluntarily, on their own authority, finish the job by putting up another fifty million dollars. I think they'd do it. I think they should have the choice to do that in the future and I think you should have the choice to borrow when it makes sense and not borrow when it doesn't. That's all.

LEGISLATOR CARACCILO:

Thank you.

LEGISLATOR BISHOP:

Thank you very much.

LEGISLATOR BINDER:

Mr. Chairman? Sorry. Mr. Caracciolo had a lot of time, I think, other members here. I mean he raised questions. Sorry, I apologize.

LEGISLATOR BISHOP:

He's very against it raising questions.

LEGISLATOR BINDER:

But you wanted to put this committee together and the way it's constituted, it's your own fault, actually. In fact, I think Mr. Bishop, you were very proud of how you put this together, so have fun. Mr. Chairman, thank you for your indulgence. Fred, is it true that most years we just haven't been able to expend as quickly? Have we been able to expend quickly to take advantage of this one jewel theory? I mean, here we're talking about the one jewel. All of a sudden, it comes on the market. We don't have the money. If we do pay as you go, is it likely that the jewel comes on the market all of a sudden that we don't know about and that we don't have the money, considering the type of cash flow that we normally have through the program?

MR. POLLERT:

The County, in the past, has not been able to acquire as fast as either the Pine Barrens Group or the County Legislators wanted to see take place. There was a reorganization a few years ago and that has really improved the acquisition process. But there's still a tremendous amount of money, which is in the pipeline with respect to the land acquisitions. It was previously discussed that a high priority would be farmland acquisitions in Riverhead. There is a component here for farmland but there's also a large amount of money into Capital Project 8701, which is included on an annual basis for farmland acquisition. So it would appear that at least in the farmland area that there are more than sufficient appropriations to

meet whatever the acquisition requirements of the Law Department are.

LEGISLATOR BINDER:

So what happens when we bond and we're not able to -- besides of the threat of rebate? Because being in a rebate situation is not good for this County. It could cost literally millions of dollars. But what happens when we are not quick enough to expend and get up closer to that kind of rebate situation, what does it mean about the interest that we're paying for money that we couldn't expand fast enough? Can you -- you know what I'm fishing for. I'd rather you say it than I say it.

MR. POLLERT:

Well, the County Comptroller does invest the proceeds of bonds that are not expended. But to the extent that, in fact, you have bonded and not needed the cash, you have used your bonding authority unwisely and there's an implicit penalty that you're not managing the program properly to both the rating agencies, as well as the financial community. So the County always attempts not to borrow unless there's a stated purpose and not to borrow in advance of an actual cash requirement.

LEGISLATOR BINDER:

And wouldn't it also say that we're incurring interest when we had cash flow because it's -- see what's been missing here is the question of timing. While you have Legislators saying well, let me tell you about the appreciation. It's going to go up five percent a year, ten percent a year as if -- unless we bond, we don't have money to spend and I mean it doesn't -- don't we have the money to spend over a regulated period of time where we are closing deals? In other words, doesn't the money come in, at least, somewhere near the timing of what we make the deals and our ability to expend those monies that are coming in?

MR. POLLERT:

Yes that has been the case in the past. We have been able to, in fact, match the revenues to the expenses that were, in fact, required.

LEGISLATOR BINDER:

So -- so -- so -- ipso facto, if that is true, then the interest that we've incurred, forget about how many, because we can play -- well how many acres could we afford? The truth is, we wouldn't have bought the interest. We wouldn't have incurred the interest. We wouldn't have spent the money. So the question really is how many millions of dollars has the County spent in interest that was unnecessary in this program and that if the Legislature were to decide -- see this is where you get to the land acquisition, if we were to decide to have spent that money for land acquisition, you get to that or just because it didn't have to come out of the budget? How many millions of dollars did we spend, which we didn't have to? Because we didn't have to bond because we had the cash flow and we were matching expenditure with the revenues? How many millions?

MR. POLLERT:

The phase one where we borrowed the one hundred and thirty seven point five million dollars, we could have sized it to about two thirds that size.

MR. AMPER:

Can I make just one observation? Because I just think that the Legislature is not being properly informed about this. First of all, we would agree that we have not failed to purchase a piece of property because we didn't have money. But the question that was asked, I'd like to refine that question and say, on the basis of the current development pressure and the dwindling supply of real estate, if we don't have the capacity to bond, can we reasonably expect a, to lose parcels for the first time in the Land Acquisition Program, if you had a chance to look at that and b, what's the likelihood we'll pay more for them? The second thing is we're not borrowing all at once under the State Revolving Fund, it's a line of credit. You only use it as you decide in your discretion to do it.

LEGISLATOR BINDER:

If we have revenue, according to Budget Review that comes in at a clip at about the amounts that we're able to close deals and expend it, how do we lose land? How do you lose land when you have the money to buy them?

MR. AMPER:

The other question I want the Legislature to get the answer to that question because it will drive your decision. The answer is I'm persuaded. You're going to want to talk to Mr. Grecco, as he looks at the future prospect. Those things on the community preservation list and that other things that you folks have prioritized and I put it to you that I think everyone of you will conclude that if we spend only the money generated in real time, you will cease to close deals and willing sellers will develop their land within the course of the next twenty four months.

LEGISLATOR BINDER:

And I would suggest Mr. Chairman that what Mr. Amper just said flies in the face of what Budget Review has just told us. They told us that we close deals the speed of our ability to do these and close these deals, is the same speed of the money coming in. The same deals that we could make, we will make. We're not going to be losing --

MR. AMPER:

The demand --

LEGISLATOR BINDER:

According to them and --

MR. AMPER:

The demand --

LEGISLATOR BINDER:

In the face of that comment by Budget Review, then we have this new notion of we're going to lose land for some reason that doesn't make any sense.

MR. AMPER:

The demand is greater and the prices are higher. That's why.

LEGISLATOR BINDER:

So?

MR. AMPER:

So the fact of the matter is --

CHAIRMAN BISHOP:

Allan, they can ask you this --

MR. AMPER:

So we can't close on the deals that are going to be made available to us in the new decade, even though we could in the past.

LEGISLATOR BINDER:

I've heard that for ten years I'm here. I've been hearing the same argument and we've incurred tens and tens of millions of dollars in debt on that argument, which makes no sense. Oh, it's going to go too fast, too fast and we got ourselves almost to -- in a rebate situation, because we couldn't make the deals fast enough to expend the money we're bonding and that means we were incurring interest to zero cents, zero reason. We hurt the taxpayers of this County in a way that if you think about it, if we really want to expend all that money, we could have bought land for and let me tell you something. This County then lost thousands of acres because of that argument and I can tell you that's a very anti-environmental stance and I'm surprised, Mr. Amper that you would want to give away thousands of acres in this County.

MR. AMPER:

Okay, let's respond to that and be done with it, because I want to make it very clear. It is not -- I am not convinced that Legislator Binder is more committed to the protection of the environment than the entire environmental community and more than two thirds of the people that vote on these things. They've said they wanted --

LEGISLATOR BINDER:

You don't have to be convinced, Mr. Amper.

MR. AMPER:

They said they wanted to do it for --

LEGISLATOR BINDER:

You don't have to --

MR. AMPER:

The one time you put pay as you go in front of them, they said no.

LEGISLATOR BINDER:

You don't have to --

CHAIRMAN BISHOP:

Allan, Allan?

LEGISLATOR BINDER:

Convinced about my commitment?

CHAIRMAN BISHOP:

I'm going to allow a dialogue but I'm not going to allow --

LEGISLATOR BINDER:

You come in to argue --

MR. AMPER:

I'm merely saying that --

LEGISLATOR BINDER:

About my commitment.

MR. AMPER:

I'm merely saying when the entire environmental community looks at the money, the acres, the prices and the direction of real estate; there's no percentage in us shooting ourselves in the foot. We know what we're doing. We agree about it to the organization and I don't think that if somebody can make a case that there's some fiscal responsibility into paying more for it tomorrow, then the interest in the State Revolving Fund -- I'd love you to familiarize yourself with the State Revolving Fund. If you can get the money for nothing, does it make economic sense Mr. Pollert? If you can borrow it for nothing, does it make economic sense to buy the land while it's available? That's all and more than anything else I conclude, just give your -- all we're asking you to do today is to give yourself the capacity to use your good judgement about these things. That's all we're asking you to do.

LEGISLATOR BINDER:

So far our good judgement has cost us over forty million dollars.

CHAIRMAN BISHOP:

All righty.

MR. AMPER:

No Froelich Farm. No Hampton Hills. It wouldn't have been there.

LEGISLATOR BINDER:

Great deals. Great deals.

LEGISLATOR ALDEN:

Some people should go to jail for that.

LEGISLATOR BINDER:

Absolutely. Hampton Hills. We gave that away for a ribbon cutting.

MR. AMPER:

It's fairly clear what your --

LEGISLATOR BINDER:

We gave away a golf course and we bought the seventeen million dollars -- something we could have gotten for a few million. Oh that was a good deal. Thank you.

MR. AMPER:

You keep getting land for free and we won't have to buy any of it. I just don't see the County getting it for free. Not surprisingly either.

CHAIRMAN BISHOP:

Okay, Legislator --

LEGISLATOR BINDER:

We had the money, by the way, for other acquisitions and we didn't spend for Robbins Island. Thanks to Legislator Rizzo and myself.

CHAIRMAN BISHOP:

All righty. Thank you very much.

LEGISLATOR BINDER:

Pushing this acquisition.

MR. AMPER:

I just thought you just got counsel to say we never lost a parcel.

CHAIRMAN BISHOP:

Thank you, Mr. Amper.

MR. AMPER:

To acquisition because we didn't have the money.

CHAIRMAN BISHOP:

Thank you Legislator Binder.

LEGISLATOR BINDER:

We did a smart thing with Robbins Island; we never lost that. We took care of that, made sure it was environmentally protected.

MR. AMPER:

Wrong too. Thank you very much. I hope you all have a chance to look at this and feel as informed as you can and make the best decision that gives you guys the discretion to do the right thing by the environment and the economy.

CHAIRMAN BISHOP:

All right. Allan, you want the last word, because I know it's important to you? No, all right, are we done?

LEGISLATOR BINDER:

You're going to need a gavel.

CHAIRMAN BISHOP:

I'm going to need a gavel for future meetings. I've learned something very important today. Sorry for the delay. All right. We have any more cards? Is there anybody in the audience who wishes to address the committee?

LEGISLATOR BINDER:

Can we take a dinner break?

CHAIRMAN BISHOP:

No. No, dinner break.

LEGISLATOR FISHER:

Mr. Chair, this is such sweet vindication. When I was the Chair and you would sit at my left and wave me on, move it, move it forward. Okay. Allan Grecco is laughing. I was asked by Assemblyman Englebright, if you could read his letter. For the record, the letter regarding resolution 2029.

LEGISLATOR GULDI:

I don't know about my colleagues but I can read for myself.

CHAIRMAN BISHOP:

2029 well, we're not going to read it. Assemblyman Englebright, of course, is very articulate and very thorough and so this is a rather long lengthy letter. But if you have read it, I will allow -- permit you to give us a synopsis verbally. Well, it's been distributed to everybody. Indentured into the record.

LEGISLATOR BINDER:

I make a motion to enter that into the record to be attached to the official transcripts of this committee.

CHAIRMAN BISHOP:

What is the essence of the letter though?

LEGISLATOR BINDER:

I make a motion to attach it.

LEGISLATOR FISHER:

Of the letter, opposition to resolution 2029, which is a resolution proposing that we put on the ballot a proposition asking that the Parks Department and Budget Review Office practice due diligence in accepting any agreement from community groups that would like to enter into an active parkland agreement with the County and actually, I agree with Assemblyman Englebright's position, in as much as the Greenways Resolution already provides for that. The Greenways Referendum --

CHAIRMAN BISHOP:

Yes.

LEGISLATOR FISHER:

Already provides --

CHAIRMAN BISHOP:

Right, so it's redundant at this point.

LEGISLATOR FISHER:

Due diligence, so it is redundant.

CHAIRMAN BISHOP:

Thank you very much. I appreciate that.

LEGISLATOR GULDI:

I'm sure he didn't write the letter himself; it's only two pages.

CHAIRMAN BISHOP:

You know he is Vice Chairman of the club, which County Clerk Romaine Chairs of people who regret leaving this institution. Not a meeting goes by we don't hear from him. All right. We're actually going to go to the agenda now, unless anybody else wishes to address the committee, as is their right. All right. 2032, introductory prime on page one. Are you following along everybody?

LEGISLATOR BINDER:

2302.

CHAIRMAN BISHOP:

2302 excuse me. Approving voluntary land exchange between Andrea Podolsy and the County of Suffolk.

LEGISLATOR CARACCILO:

Explanation?

CHAIRMAN BISHOP:

Explanation, counsel? Are we prime?

MR. SABATINO:

Yes because you are acquiring land.

CHAIRMAN BISHOP:

It's not a Ways & Means Resolution?

MR. SABATINO:

No, it's environmentally sensitive land. It's under Chapter 102 of the County Code, which says that if a person offers you environmentally sensitive land in a trade, you can give up non-environmentally sensitive land.

CHAIRMAN BISHOP:

What are we giving up? What do we get?

MR. SABATINO:

We're getting land by the South Setauket Preserve, which is worth twenty five hundred dollars. It's about a tenth of an acre and we're giving up about a tenth of an acre on land that's between Canal Road and Route 112. So it's a trade of relatively equal value and approximate size.

CHAIRMAN BISHOP:

Motion to approve by Legislator Binder, second by myself.

LEGISLATOR CARACCILO:

On the motion?

CHAIRMAN BISHOP:

On the motion, Legislator Caracciolo.

LEGISLATOR CARACCILO:

What will the land that's being traded by the County be used for? Is there some type of application for some type of use of this property?

MS. FISCHER:

We don't have any information at the time that is on a major roadway and it looks like it might be considered for residential use.

LEGISLATOR CARACCILO:

Residential, not commercial or industrial? Okay.

LEGISLATOR GULDI:

Motion.

CHAIRMAN BISHOP:

All right, we have a motion and a second. All in favor? Opposed? 2302 is approved.

INTRODUCTORY PRIME:

I.R. NO. 2302 Approving voluntary land exchange between Andrea Podolsky and the County of Suffolk. (*County Executive*)

VOTE: 7-0-0-0 APPROVED

CHAIRMAN BISHOP:

2311 making a SEQRA determination in connection with the proposed improvements to police radio coverage in Huntington Village, Town of Huntington.

LEGISLATOR GULDI:

Second.

CHAIRMAN BISHOP:

What's the determination? That it would have no environmental impact?

MR. SABATINO:

It's unlisted action with no significant effect.

CHAIRMAN BISHOP:

A lot of people would disagree with that but all right. Motion to approve by Legislator Binder. Is there a second? Legislator Guldi. All in favor? Opposed? Abstentions? List me as opposed.

I.R. NO. 2311 Making a SEQRA determination in connection with the proposed improvements to police radio coverage in Huntington Village, Town of Huntington. (*Presiding Officer Paul Tonna*)

VOTE: 6-1-0-0 APPROVED

CHAIRMAN BISHOP:

2312 making a SEQRA determination in connection with the proposed construction of

boathouse. We already committed this about five hours ago. We did that. 2319 amending the 2001 Capital Budget on Jacob's Farm. We approved that previously. 2322 approving acquisition under Suffolk County Land Partnership Program, Shelter Island. We did that one previously. Okay, 1000, resolution 1000, I guess that's the first one of the New Year. Amending the 2001 Operating Budget and accepting and appropriating an approximate forty-percent grant from New York State Research Development Authority regarding nutrient removal.

LEGISLATOR FISHER:

Motion.

CHAIRMAN BISHOP:

I just want to be thorough. Motion by Legislator Fisher, second by Legislator Binder.

LEGISLATOR CARACCILO:

On the motion?

CHAIRMAN BISHOP:

On the motion, Legislator Caracciolo.

LEGISLATOR CARACCILO:

Ben Wright, could you explain what this does?

CHAIRMAN BISHOP:

I thought you only had to show up at Public Works?

LEGISLATOR CARACCILO:

He's here, taking advantage.

LEGISLATOR GULDI:

He's being coached.

MR. WRIGHT:

This project is a demonstration project that will be installed in Port Jefferson and it's got two purposes really. First is that we did receive a Bond Act Application for Port Jefferson and we'll have to -- at presently, we are putting a work plan together and a schedule before the contract is signed with New York State. But this process has the possibilities of being utilized for that plant and because Port Jefferson site is so small and so sloped, the process has a smaller foot print in the conventional treatment process. So we're interested in looking at it with that regard. But also it has some difficulties with treatment in Port Jefferson with some violations and it's likely that we'll get a consent order from New York State. With this pilot

plant in place, we could take a side stream off of the existing plant and treat it. That will give us that little margin of being back in compliance. So the consent order with DEC says and I'll put this in by June, so it's important to get it done.

CHAIRMAN BISHOP:

Legislator Fields.

LEGISLATOR FIELDS:

When I read the resolution, I found that we've been in violation in this plant in the past and what I was wondering about was why is this just a pilot plant that would be decommissioned in eight months or at the end of the time? Why? Let's say it works. The Pilot Program works. Why would it be decommissioned? Why would we, after spending this kind of money, why couldn't we keep it in tact and continue to use it?

MR. WRIGHT:

We are actually not spending any money. The project is valued at four hundred and fifty thousand dollars. The County portion of that on paper is about a hundred and eighty thousand dollars and that's associated with the staff that we have on the site. My time, for example, is listed there for -- you know during the year, like twenty-five hours but I'd be there anyway. Laboratory analysis that we do in any event, so it's on paper. It gives it a value of in-kind services but we're not really spending any funds.

LEGISLATOR FIELDS:

Okay.

MR. WRIGHT:

And aside from that, it takes about five percent of the plant flow. So it helps us out but it's certainly not large enough tanks that it would, you know, meet any full-scale development.

CHAIRMAN BISHOP:

All right.

LEGISLATOR FIELDS:

What happens in the future if it does work though?

MR. WRIGHT:

If it does work, then, you know we would go into design to utilize that process.

LEGISLATOR FIELDS:

Okay, thank you.

CHAIRMAN BISHOP:

Thank you. Motion to approve by Legislator Fisher, second by Legislator Binder. All in favor? Opposed? One thousand is approved.

YEAR 2001

I.R. NO. 1000 (P) Amending the 2001 Operating Budget and accepting and appropriating an approximate 40% grant from the New York State Research and Development Authority regarding nutrient removal at Sewer District No. 1 - Port Jefferson and authorizing execution of agreements for the improvements to Sewer District No. 1 - Port Jefferson. (County Executive)

VOTE: 7-0-0-0 APPROVED

CHAIRMAN BISHOP:

1004 dedication of certain lands now owned by George Nikolopoulos to the Suffolk County Nature Preserve pursuant to Article 1.

MS. FISCHER:

I have a comment.

CHAIRMAN BISHOP:

Motion by Legislator Guldi, second by Legislator Fields. Counsel explanation? Just -- I mean why is it being introduced by a Legislator and not the County Executive? Just because it's in his district?

MR. SABATINO:

Well, it's his district then and this is to fulfill an obligation that the property owner engaged several years ago to give land back to the County based on a Health Services Review Board decision. Why it didn't happen in the intervening period is unclear but this, at least, will bring him into compliance with he was supposed to do at an earlier date and yes, the property is in his district.

CHAIRMAN BISHOP:

I'm all for compliance. Motion by myself --

MS. FISCHER:

Mr. Chairman, I have a comment?

CHAIRMAN BISHOP:

Who's speaking?

MS. FISCHER:

Lauretta Fischer, Planning.

CHAIRMAN BISHOP:

Oh, hold on. Motion by myself, second by Legislator Guldi.

I.R. NO. 1004 Dedication of certain lands now owned by George Nikolopoulos to the County Nature Preserve pursuant to Article I of the Suffolk County Charter and Section 406 of the New York Real Property Tax Law. (Legislator Fred Towle)

VOTE: 7-0-0-0 TABLED

CHAIRMAN BISHOP:

Ms. Fischer?

MS. FISCHER:

I reviewed this resolution and the first property is in our Forge River acquisition area, which would be fine, however, the next three parcels are in the Mastic Shirley relocation area and it is in an existing residential area that's small lots and it was recommended by the Board of Review to sell to an adjacent owner. Unfortunately, we were one of the adjacent owners at the time but we were using those properties in the relocation area to do a land exchange for development of those properties, so there is a conflict there as to the --

CHAIRMAN BISHOP:

I don't follow though. This is a private landowner giving the County land?

MS. FISCHER:

Property to the town.

CHAIRMAN BISHOP:

So how does that impact these swaps that you're discussing?

MS. FISCHER:

It doesn't. Only in the fact that this area is in an area that the County is acquiring properties in. It's a residential area and there aren't any other properties that the County owns near there.

CHAIRMAN BISHOP:

So is your point --

MS. FISCHER:

And it's not an environmentally sensitive property.

CHAIRMAN BISHOP:

So you're point is it shouldn't be dedicated as a Nature Preserve?

MS. FISCHER:

Correct.

CHAIRMAN BISHOP:

Is that the point?

MS. FISCHER:

Yes.

CHAIRMAN BISHOP:

Okay. All right, so why don't we table this? I would ask that you contact Legislator Towle.

LEGISLATOR GULDI:

Okay.

CHAIRMAN BISHOP:

You'll contact Legislator Towle and --

MS. FISCHER:

I put a call in.

CHAIRMAN BISHOP:

I mean the point is that he should dedicate it. We're not against the dedication to the County, just not in that status.

MR. GRECCO:

Legislator Bishop? Excuse me, Ms. Fischer is here on behalf of Mr. Jones, who's obviously no longer with the Planning with the County but she's here representing the Planning Department for any other purposes.

CHAIRMAN BISHOP:

So she doesn't represent Mr. Jones, she represents the Planning Department. 1006.

LEGISLATOR GULDI:

Motion to table.

CHAIRMAN BISHOP:

Motion to table, second. All in favor? Opposed? It's tabled.

I.R. NO. 1006 Adopting Local Law No. 2001, a Charter Law to authorize \$59 million State borrowing for 1/4 Percent Open Space Environmental Protection Program. (Legislator Michael Caracciolo)

VOTE: 7-0-0-0 TABLED

CHAIRMAN BISHOP:

1021 a motion to table.

LEGISLATOR CARACCIOLO:

Second.

CHAIRMAN BISHOP:

1021 is tabled. Those are the quarter percent borrowing that we just had that lengthy discussion about.

I.R. NO. 1021 Adopting Local Law No. 2001, a Charter Law to authorize low interest borrowing for land and water protection under the 1/4 Percent Environmental Protection Program. (Legislator David Bishop)

VOTE: 7-0-0-0 TABLED

CHAIRMAN BISHOP:

1022 implementing Greenways Program in connection with active parklands in Riverhead.

LEGISLATOR CARACCIOLO:

Motion to table.

CHAIRMAN BISHOP:

Motion to table by Legislator -- you're back again, Legislator Caracciolo, second by myself. All in favor? Opposed? 1022 is tabled.

I.R. NO. 1022 Implementing Greenways Program in connection with acquisition of active parklands at Riverhead. (Town of Riverhead) (Legislator Caracciolo)

VOTE: 7-0-0-0 TABLED

CHAIRMAN BISHOP:

These -- the following resolutions were from last year that were tabled in other committees that have been assigned to this committee. 1833 is withdrawn. 1849 is Greenways in Southold, tabled by Caracciolo, second by Binder. 1849 is tabled.

TABLED PRIME:

I.R. NO. 1849 (P) Implementing Greenways Program in connection with acquisition of active parklands, property along south side of County Route 48. (Town of Southold) (Legislator Michael Caracciolo)

VOTE: 7-0-0-0 TABLED

CHAIRMAN BISHOP:

1851 is active parkland in Miamogue Point, Town of Riverhead.

LEGISLATOR CARACCILOLO:

Motion to table that and reconsider 1022.

CHAIRMAN BISHOP:

All right, motion to table. Okay and that is tabled.

I.R. NO. 1851 (P) Implementing Greenways Program in connection with acquisition of active parklands at Miamogue Point. (Town of Riverhead) (Legislator Michael Caracciolo)

VOTE: 7-0-0-0 TABLED

CHAIRMAN BISHOP:

Motion to reconsider 1022.

LEGISLATOR GULDI:

Second.

CHAIRMAN BISHOP:

All in favor of reconsideration? Opposed to reconsideration? We're very courteous today apparently. 1022 is now before us. 1022 is implementing Greenways Program in connection with acquisition of active parklands in Riverhead. Tell us?

MS. FISCHER:

I have a comment on that?

CHAIRMAN BISHOP:

Yes. Well, first let's hear from the sponsor.

LEGISLATOR CARACCILO:

The Sabbatino in this resolution is no relation to Mr. Sabatino, spelled differently, I also note, right. Okay. Peter, did you want to comment on this also?

MR. SCULLY:

Just with respect to 1022. I know how hard you've been working to implement some active recreational programs out there in your district. We're still awaiting information from the Town of Riverhead with respect to the proposed use and the Trustees at our last week's meeting. We do have an approval roll in this particular aspect of Greenways and decided to table it until they got that information.

LEGISLATOR CARACCILO:

What information do you need? Because there isn't an attachment from the town, a board resolution? What do you need that's not in the resolution?

MR. SCULLY:

We are looking for information with respect to the proposed use of the property.

LEGISLATOR CARACCILO:

The town has not provided you with that information? All right. I'll table it and request that the town be present at our next meeting to make a presentation.

LEGISLATOR GULDI:

Second.

MR. SCULLY:

Thank you.

MS. FISCHER:

Can we do -- Mr. Chairman?

CHAIRMAN BISHOP:

Same outcome. Motion to table, Legislator Caracciolo, second by Legislator Guldi. All in favor? Opposed? It is tabled.

I.R. NO. 1022 Implementing Greenways Program in connection with acquisition of active parklands at Riverhead. (Town of Riverhead) (Legislator Michael Caracciolo)

VOTE: 7-0-0-0 TABLED

CHAIRMAN BISHOP:

2024.

LEGISLATOR FISHER:

Motion to approve.

CHAIRMAN BISHOP:

Which is appropriating Greenways infrastructure improvement funds grant for the Wedge property in the Town of Brookhaven. The infrastructure improvement fund is a Capital Budget item that we approved a few years back, which authorizes up to a hundred thousand dollars to be dedicated to the improvement of an active recreational property. In this resolution, Legislator Fisher is directing that money to the Mount Sinai Civic and the park fund.

LEGISLATOR ALDEN:

On the motion?

CHAIRMAN BISHOP:

On the motion, first of all, motion to approve by Legislator Fisher, second by myself. On the

motion, Legislator Alden.

LEGISLATOR ALDEN:

I was under the understanding, because it came before the committee that they had five hundred thousand dollars or more money than that. It was available to them to improve this property. Now, why are we giving them another hundred thousand dollars?

LEGISLATOR FISHER:

Because the improvement to the property will take more money than what they have and having shown this kind of financial ability, they certainly are deserving of the grant that is provided by the Greenways legislation.

LEGISLATOR ALDEN:

I'd like to see --

LEGISLATOR FISHER:

Because that is the purpose of this. They're building a building. They're constructing -- well, they're not constructing fields, the town is doing that. But they are constructing a building and bike paths. They presented quite an impressive and detailed design before the Parks Committee during the previous year and I believe to the full Legislature.

LEGISLATOR ALDEN:

But actually, I sat in on a couple of those and they indicated that they didn't need any money from us to do anything.

LEGISLATOR FISHER:

No, they never indicated any such thing. They have -- they are very interested in this grant because they continue to raise money and they continue to look for funding sources because it's a big project.

LEGISLATOR ALDEN:

I'd like to address some questions to that civic group because I remember distinctly from that, from a bunch of meetings that they showed up at that they did not need or they indicated that they had x numbers of dollars. I'd like to see a financial. I'd like to see the financial --

LEGISLATOR FISHER:

Well, they would be -- they would certainly be willing to come Tuesday. They have come many times before.

LEGISLATOR ALDEN:

I'd ask that they come before the committee and let the committee do the work.

LEGISLATOR FISHER:

They have come before the committee many times.

CHAIRMAN BISHOP:

Legislator Alden, are you sure want them? I mean we have done -- we have been over that plan numerous times.

LEGISLATOR ALDEN:

Yes and I remember sitting there and they had five hundred thousand dollars. They didn't need a hundred thousand dollars.

CHAIRMAN BISHOP:

May I suggest -- meet with them alone because it's -- and I don't mean that condescendingly or facetiously.

LEGISLATOR ALDEN:

You didn't.

CHAIRMAN BISHOP:

I'm sure they would be eager to meet with you but we've all been down that path many times.

LEGISLATOR BINDER:

Not all of us actually, Mr. Chairman.

CHAIRMAN BISHOP:

Take Legislator Binder with you. It's a very impressive plan.

LEGISLATOR CARACCILO:

You and I and Legislator Fisher and Legislator Alden and Legislator Fields were on the Parks Committee and we --

LEGISLATOR ALDEN:

Actually, I wasn't.

LEGISLATOR CARACCILO:

Oh, I'm sorry. I'm sorry. I stand corrected then, you were not. Okay but Legislator Fields was and we heard this group come forward --

CHAIRMAN BISHOP:

You didn't have to be in the Parks Committee. You have to be at the full Legislature. They've been to the full Legislature.

LEGISLATOR CARACCILO:

They did that too but we're talking right now about financial investments in a County Park and there were representations made and I think the question that Legislator Alden raised is a very valid one. A few minutes ago, I tabled a resolution where we have a town as a sponsor. I did so, because the Commissioner of Parks requested that we need some more information. I would submit that we need a lot more information before we open the floodgates of giving this organization, Legislator Alden, not one hundred thousand dollars but let's say to Haley has sponsored a resolution to give them another hundred thousand and you and I and every individual around this horseshoe could add to that hundred thousand and before you know it, they'll have a million and -- one point eight million dollars from the County of Suffolk. Okay, because of the way the law was written.

LEGISLATOR FISHER:

Would you suffer an interruption? There's a limit up to --

LEGISLATOR CARACCILO:

Two hundred thousand, all right.

LEGISLATOR FISHER:

No there's a limit of one hundred thousand dollars to a group. You can't give them all of that.

LEGISLATOR CARACCILO:

Did Legislator Haley not have a resolution?

LEGISLATOR FISHER:

Certainly not for the Mount Sinai group.

LEGISLATOR CARACCILO:

Counsel?

MR. SABATINO:

I think there's a little bit of confusion on the program. Legislator Haley's bill is to give a hundred thousand dollars of matching funds to the town.

LEGISLATOR CARACCILO:

Oh, okay, so get involved in this project to get a hundred thousand with a cap of what, two hundred thousand?

MR. SABATINO:

The cap is you get fifty percent or a hundred thousand dollars, whichever is less. But the way that program was constructed; the whole idea is the money goes to entities that have matching funds.

LEGISLATOR CARACCILO:

How much money is in that fund?

MR. SABATINO:

Well, it was originally budgeted for one point two million dollars.

LEGISLATOR CARACCILO:

Okay, how much money has been drawn down on that?

MR. SABATINO:

Zero, these are the first two proposals.

LEGISLATOR CARACCILO:

Okay. So here we have the very first active Parkland Program going forward, the Wedge, 17 acres in Mount Sinai and we already have one of the groups that wanted and insisted based on their excellent plan that they wanted to be a participant and now they come back to the County no less than three months and say gee, can you give us not one but two hundred thousand dollars. Well, you know you're going to start this with Mount Sinai Civic, you're going to have every third party to an active parkland acquisition, including the towns coming back and saying you know what?

CHAIRMAN BISHOP:

May I?

LEGISLATOR CARACCILO:

You have this program. Give us a hundred thousand dollars.

CHAIRMAN BISHOP:

Usually where it's up to a hundred thousand or fifty percent of the development costs. So if it cost a hundred and forty thousand dollars to construct a park, they'd only be eligible for seventy thousand dollars. The maximum that any parcel can get is a hundred thousand. So two hundred thousand is never envisioned and it's not in any resolution that I know of, correct? The two hundred thousand?

MR. SABATINO:

This is one hundred thousand.

CHAIRMAN BISHOP:

Okay. Then the next issue is that they're coming back --

LEGISLATOR CARACCILO:

On that point?

CHAIRMAN BISHOP:

Sure, we'll stop there and discuss that point.

LEGISLATOR CARACCILO:

I thought I just heard Legislative Counsel indicate that Legislator Haley is the sponsor of the resolution with the Town of Brookhaven. Another one of the parties involved in the development of this park and they would be receiving one hundred thousand. Is that what I heard you say, counsel?

MR. SABATINO:

Right. The point being that the statement was made, the two hundred thousand dollars was going to an organization. First of all, the money is not going to the entity.

LEGISLATOR CARACCILO:

No but it's going to one County Park.

MR. SABATINO:

It's going to the improvements but a hundred thousand --

LEGISLATOR CARACCILO:

It's going into one project, okay and my point, Mr. Chairman was that here we have the very first project out of the box, so to speak and a full one sixth of the whole program proceeds --

CHAIRMAN BISHOP:

No, one twelfth.

LEGISLATOR CARACCILO:

No, one sixth, because Legislator Haley has a resolution, a partner with the Town of Brookhaven for another hundred thousand dollars.

CHAIRMAN BISHOP:

And this goes back to the old issue with the wedge, which is whose going to control the wedge, the town, the community group? It goes around and around and supposedly they arrive at compromises and then the compromises are breached. I see people raising their hand.

LEGISLATOR CARACCILO:

For the school districts involved. The question I have for counsel? Could not a Legislator sponsor a resolution similar to this with the school district? Since they are also a partner? So whenever you have one project, you see that three hundred thousand -- why doesn't the County just develop the process?

CHAIRMAN BISHOP:

It doesn't -- if it goes to the project, not to the entity first. So I mean you could have a hundred thousand different entities receiving a dollar but you can't have a hundred thousand and one receiving a dollar.

LEGISLATOR CARACCILO:

I understand. I understand that. But you had envisioned a funding source and a limit of one point two million dollars countywide. What I'm saying is you have one project and they're going to receive at least a hundred thousand, maybe two hundred thousand, maybe three hundred thousand dollars. Is that what you envisioned?

CHAIRMAN BISHOP:

Yes. That's why it's maxed at a hundred thousand.

LEGISLATOR CARACCIOLO:

But in this case, it could be as much three hundred thousand, because there's three different entities.

CHAIRMAN BISHOP:

No, it should be. This is not --

LEGISLATOR CARACCIOLO:

Paul, could it be one hundred or more thousand dollars?

MR. SABATINO:

Maybe it's my fault for not explaining it right but what the program said was that anybody who has a binding agreement with the County for an active parkland and quite frankly, we've got very few. But out of those very few that have active agreements with us, the only two entities thus far that have broached the possibility of committing a share that could be matched up with fifty percent is this particular civic group in the Town of Brookhaven. So the Town of Brookhaven can match its hundred thousand-dollar share. This organization could match its hundred thousand-dollar share. This particular project would get two hundred thousand dollars.

LEGISLATOR CARACCIOLO:

Right.

MR. SABATINO:

The answer to your question on school districts, no because the school districts have a hundred thousand dollars.

LEGISLATOR CARACCIOLO:

So in this case it would be, at the most, two hundred thousand.

MR. SABATINO:

Two hundred thousand, right.

LEGISLATOR CARACCIOLO:

Okay.

CHAIRMAN BISHOP:

County money?

LEGISLATOR CARACCILO:

County money.

CHAIRMAN BISHOP:

I know.

LEGISLATOR CARACCILO:

Thank you, Dave.

CHAIRMAN BISHOP:

Where do you come up with these interpretations?

LEGISLATOR BINDER:

Oh, when there's one he doesn't like

MR. SABATINO:

It was not based on a per project base. It was based on binding agreements with participants. Now, I think that they --

CHAIRMAN BISHOP:

So then you could get -- you could have twelve participants on one project and the whole fund would be exhausted.

MR. SABATINO:

Well, no first of all --

CHAIRMAN BISHOP:

It's absurd.

MR. SABATINO:

The one point two million dollars, by the way, was just -- it was a number that was just thrown out. That particular project expired two years ago because nobody came forward for the money. So we're starting from scratch with regard to the program. Number two; you just can't give away money. How many organizations can match a hundred thousand dollars? We've been doing the program for three years and these are the first two groups to come forward and say they would even contemplate it. So no, you just couldn't give away a million dollars. Somebody has to put up a matching contribution.

CHAIRMAN BISHOP:

The idea -- wasn't there an authorizing legislation with the Capital Budget?

MR. SABATINO:

Yes. What happened --?

CHAIRMAN BISHOP:

Maybe --

MR. SABATINO:

We did two things at the same --

CHAIRMAN BISHOP:

You're right, mabe it would be important if I read that.

MR. SABATINO:

All I can tell you is the best way the program -- if the program is constructed pursuant to the instruction, which was to have any organization, you know, municipal or private, whatever it might be that entered into a binding agreement with the County to have the opportunity, not an obligation, but an opportunity to have its funds matched, because the sponsors wanted to throw a carrot out. The economic carrot out there to try to induce people.

CHAIRMAN BISHOP:

But what would be the point of a maximum, if you could get around it by having multiples? There's no point to it.

LEGISLATOR FISHER:

Because each of those has to be able to match it, has to be able to agree to spend at least a hundred thousand dollars on the project.

MR. SABATINO:

You think it's going to be easy to match but it's not. No town, quite frankly, the Town of Brookhaven only came forward because the organization did. But the Town of Huntington didn't come forward with a hundred thousand dollars. Babylon hasn't come forward with a hundred thousand dollars. Smithtown hasn't. Islip hasn't.

CHAIRMAN BISHOP:

I assure you that Huntington will when they start to think about how they're going to develop

the parcel. They going to say look, there's a hundred thousand dollars that we can get at.

MR. SABATINO:

You can hardly --

CHAIRMAN BISHOP:

But now what they're going to be advised to do is go get a partnership with --

LEGISLATOR ALDEN:

Fifteen people.

CHAIRMAN BISHOP:

You know fifteen different community groups. Then you can get a hundred and fifty thousand.

LEGISLATOR ALDEN:

On the motion?

CHAIRMAN BISHOP:

On your interpretation.

LEGISLATOR FISHER:

You can always vote on each one of them based on their particular value.

CHAIRMAN BISHOP:

Mr. Chairman, on the motion? Mr. Chairman, on the motion? I have a couple technical questions too. This amends the 2000 Capital Budget, so I want to know about the appropriateness of this and also I don't understand why project number 7428 is referenced on this resolution?

MR. SABATINO:

First of all, it's a corrected copy, so it's the Year 2001. The corrected copy was filed at the beginning of the year. The reason originally read the Year 2000 was because it was filed and tabled on many occasions.

LEGISLATOR ALDEN:

I don't have a corrected copy.

MR. SABATINO:

It was filed last week.

LEGISLATOR ALDEN:

But I don't have it and also the appropriateness of this? Is 7428 being referenced? That's a stabilization of a seaplane hanger over at the Vanderbilt Museum, I imagine. It seems that we're taking some money out of that for something.

LEGISLATOR CARACCILO:

Motion to table.

CHAIRMAN BISHOP:

I think that we should table both bills and then try to --

LEGISLATOR BINDER:

Well, Mr. Chairman let me just on --

CHAIRMAN BISHOP:

Motion to table 2024 by Legislator Caracciolo, second by Legislator Binder who's desperate to be heard.

LEGISLATOR BINDER:

Yes. No, I just want to make a comment that I think it's inappropriate for Legislators to be in other Legislator's districts and this is going to happen. It's going to start to happen more and more through this Legislature and I think we should be really wary of this. Because if you want to set precedence, you can kind of smile to yourself, Legislator Guldi but something is going to become an interest of mine in East Hampton.

LEGISLATOR GULDI:

Like the airport?

LEGISLATOR BINDER:

East Northport, no the fact is I don't go in there and do anything but I just might. We all might start getting involved in civics in each other's districts and we all might start getting involved in each other's issues.

CHAIRMAN BISHOP:

But Legislator Binder I will point out --

LEGISLATOR FISHER:

Legislator Binder, if I may say that I did not go into another Legislator's district. This Civic Association came --

LEGISLATOR BINDER:

The legislation in itself, the Legislature does. I don't care who asks.

LEGISLATOR FISHER:

As a response to civics who came to my parks meeting.

LEGISLATOR BINDER:

Okay, whoever.

LEGISLATOR FISHER:

Of which I was Chair and petitioned for some assistance.

LEGISLATOR BINDER:

So now you have license to go into other legislative districts.

LEGISLATOR FISHER:

Absolutely, if the civics would not be heard by their Legislator.

LEGISLATOR BINDER:

I think the Legislators are doing very well in that district and --

LEGISLATOR FISHER:

Well, apparently not according to this civic.

LEGISLATOR BINDER:

If he has a real problem, then I'm sure those civics will take care of that during the election.

LEGISLATOR FISHER:

The civics had no recourse with regard to this piece of property.

LEGISLATOR BINDER:

That's their choice. They have an election.

LEGISLATOR FISHER:

And they needed to have this active parkland for which they had worked very hard for many years.

LEGISLATOR BINDER:

They have an election.

LEGISLATOR FISHER:

The Town of Brookhaven had shut them out and they had no recourse --

LEGISLATOR BINDER:

I'll have great reason, as I go into other districts.

LEGISLATOR FISHER:

Other than to come to the parks committee and the people of this County --

LEGISLATOR BINDER:

I'll have great reasons too.

LEGISLATOR FISHER:

Deserve to have recourse.

LEGISLATOR BINDER:

I'll get petitioned and I will have great reasons to go into everyone's district.

LEGISLATOR FISHER:

We could leave the politics and make a good government then you could understand why these civics are being addressed at this Legislature.

LEGISLATOR BINDER:

Your good government.

LEGISLATOR FISHER:

At this Legislature.

LEGISLATOR BINDER:

Your decision of good government.

LEGISLATOR FISHER:

No, it's our good government. If we are responding to civics who are saying that they --

LEGISLATOR BINDER:

No that's your good government.

LEGISLATOR FISHER:

That on one is listening to them.

LEGISLATOR BINDER:

Their Legislators --

CHAIRMAN BISHOP:

Hey, I don't mind the debate or even the hostility but don't talk over each other. Just let it go one at a time and you can go back and forth. I need a gavel here.

LEGISLATOR FISHER:

The Mount Sinai -- if I may have the floor, Mr. Chair?

CHAIRMAN BISHOP:

You go, then he goes, back and forth.

LEGISLATOR FISHER:

The Mount Sinai Civic Association came to the Parks Committee and petitioned the Parks Committee to assist them because their Legislator had said to them and they put this on the record that he would not speak to them. They came to this committee and as Chair of Parks Committee, I submitted a resolution on their behalf because no one else would. It was not at my pleasure that I entered into another Legislator's district, I would prefer not to have. But there was no recourse when the Town of Brookhaven had made it very clear that they would not deal with this particular group. There should not be any Civic Association in Suffolk County who will not be heard by their Legislator.

CHAIRMAN BISHOP:

Now, you don't want to engage now. It's no fun unless you can shout over each other.

LEGISLATOR BINDER:

I think I made the point that it is a very dangerous thing and as a precedent has been said, I'm sure we can all find reasons. We can all justify. We can all come up with reasons to be in each other's districts and if that's what we're going to do, then those -- we'll all come with a justification. We'll all have reasons and that's going to be --

CHAIRMAN BISHOP:

In any case.

LEGISLATOR BINDER:

Unfortunate and it's going to be a very bad thing for all us as members and colleagues and that is part of the breakdown of collegiality that happens in an institution like this or at any institution at any level. That's a real problem and a danger to this institution.

LEGISLATOR FISHER:

Mr. Chairman?

CHAIRMAN BISHOP:

Yes, Legislator Fisher.

LEGISLATOR FISHER:

The Greenways Referendum provides for County Parks to be used by everyone in this County, including the wedge. That will be a County Park and that's active parkland for County Park use by everyone in Suffolk County. So I believe we have to leave colloquialism behind at some point and look for what's best for the whole County.

LEGISLATOR BINDER:

I believe Legislator Haley is doing just that and I'm very happy to have him on this body and I'm sure and I believe that he deals with his district fairly in a very positive manner and I'm very happy with the way -- and I think his constituents are as they return him constantly to

office and I think they've very happy with the way he is representing him in this body.

CHAIRMAN BISHOP:

All righty. That's your opinion and we'll move on.

LEGISLATOR BINDER:

Absolutley.

CHAIRMAN BISHOP:

Legislator Caracciolo, on this issue?

LEGISLATOR CARACCILOLO:

I made the motion.

CHAIRMAN BISHOP:

I'm going to ask the committee if we can table both of these, Legislator Haley's? Does he have one on this?

LEGISLATOR FISHER:

No, he does not.

MR. SABATINO:

His bill got to the floor. It was discharged. His was 1964 but it was discharged on the floor.

CHAIRMAN BISHOP:

I would ask that you --

LEGISLATOR FISHER:

So I would recommend that we vote, Mr. Chair. So that both bills could before the full Legislature.

LEGISLATOR CARACCILOLO:

And one park would get two hundred thousand dollars in appropriation.

LEGISLATOR BISHOP:

That is not the outcome that it is going to have.

LEGISLATOR CARACCILO:

Well, you know you get it to the floor and then you're going to have two live bills and then you're not going to be able to necessarily stop it, as may be your wish. I say keep one in committee. Let's see what happens with the other one.

CHAIRMAN BISHOP:

I make a motion to approve without recommendation.

LEGISLATOR GULDI:

The motion to table takes precedent.

CHAIRMAN BISHOP:

Motion to table. All in favor of motion to table?

LEGISLATOR CARACCILO:

Opposed.

LEGISLATOR FISHER:

Opposed.

LEGISLATOR GULDI:

Opposed.

CHAIRMAN BISHOP:

Motion to approve without recommendation.

LEGISLATOR GULDI:

Second it.

LEGISLATOR ALDEN:

No what was the vote on the motion to table?

CHAIRMAN BISHOP:

Three, four.

LEGISLATOR GULDI:

Three, four?

CHAIRMAN BISHOP:

One, two, three, four. Motion to discharge without recommendation.

LEGISLATOR GULDI:

Second the motion.

CHAIRMAN BISHOP:

All in favor? Opposed? Opposed Legislator's Alden, Binder and Caracciolo.

I.R. NO. 2024 (P) Appropriating Greenways infrastructure improvements Fund Grant for "The Wedge" property in the Town of Brookhaven. (*Legislator Vivian Fisher*)

VOTE: 4-3-0-0 DISCHARGED WITHOUT RECOMMENDATION

CHAIRMAN BISHOP:

So they'll both be before us and I think that the outcome is that we should send them both one, two, three and the outcome that I would recommend and not on a partisan level but on a programmatic level is that we should send them back here and find a way to get one hundred thousand dollars.

LEGISLATOR CARACCILO:

Will the Chair make that motion next, Tuesday?

CHAIRMAN BISHOP:

Absolutely.

LEGISLATOR ALDEN:

Mr. Chairman? Mr. Chairman?

CHAIRMAN BISHOP:

The only reason I'm sending it forward is so that they're both there and then we can send them both back.

LEGISLATOR ALDEN:

Mr. Chairman?

LEGISLATOR GULDI:

You'll repeat this on the floor.

CHAIRMAN BISHOP:

Yes? I'm sorry.

LEGISLATOR ALDEN:

Can we make the request that this group show up at the meeting and just explain to us how they have seven hundred thousand dollars that's committed and they're asking us for another hundred thousand?

CHAIRMAN BISHOP:

I could assure you that they'll be there, unfortunately.

LEGISLATOR ALDEN:

And also to bring their financials?

CHAIRMAN BISHOP:

Yes.

LEGISLATOR ALDEN:

Because I'd like to see some kind of bonafide --

CHAIRMAN BISHOP:

Bring the financials. Legislator Alden, their presentations can never be -- well, I mean they can be challenged but they are certainly thorough. So I'm sure they'll have all the information that you want.

LEGISLATOR ALDEN:

I hope so. I sure hope so.

CHAIRMAN BISHOP:

Commissioner, did you want to say something? No, you don't want to?

LEGISLATOR FISHER:

Mr. Chairman, if I could just make one more comment? One of the benefits of having both of these on the floor is that perhaps the Town of Brookhaven will finally sit down with this group and work out an arrangement that's meaningful for both of them. Because the town has been unwilling to sit with them.

CHAIRMAN BISHOP:

Well, Brookhaven has new leadership and I know that the --

LEGISLATOR FISHER:

He has made a --

CHAIRMAN BISHOP:

The Supervisor is eager to put this issue behind him. Yes, very good.

LEGISLATOR GULDI:

Maybe someone from Brookhaven to come to our meeting.

CHAIRMAN BISHOP:

Yes.

LEGISLATOR GULDI:

Yes, that would be good.

CHAIRMAN BISHOP:

They can come to this committee. You know where public officials enter and they don't leave. I think the Roach Motel. I'm sorry, I lost my spot. 2029, a Charter Law to impose additional requirements in Suffolk County Community Greenways Fund for active parkland acquisitions. Legislator Caracciolo, this is your measure. Do you want to describe it or counsel? How do you want to do it? Okay, table for a public hearing?

LEGISLATOR CARACCILO:

I want to verify this?

LEGISLATOR GULDI:

Second.

MR. SABATINO:

I think it was recessed but let me check it.

CHAIRMAN BISHOP:

You want to just describe it while you're checking on it?

MR. SABATINO:

2029, the public hearing, no actually the public hearing was closed.

LEGISLATOR CARACCILO:

Okay.

MR. SABATINO:

It was closed.

LEGISLATOR CARACCILO:

Okay. That's fine.

CHAIRMAN BISHOP:

Explanation, please?

LEGISLATOR CARACCILO:

No, it's rather straight forward. Obviously, you have a memorandum here from this. Oh, you wanted Paul to do it? All right, then.

MR. SABATINO:

Okay, what it would do is it would require a written review by the Parks Department and Legislative Office of Budget Review for any proposal that's submitted by a community organization under the active Greenways component of the Greenways Program. The evaluation would have to include the financial statements for the past five years, as well as current financial statements, financial capability and the ability to provide capital improvements and carry out the maintenance of the project.

CHAIRMAN BISHOP:

All right. Now, how is this different than what we already require under the Greenways Program?

LEGISLATOR CARACCILO:

Well, there are no financial disclosure requirements required. You have an organization, the Saint Anthony's Rowing Club that if this resolution were approved, would have to come forward before they could enter into a written binding agreement with the County.

CHAIRMAN BISHOP:

If you want to change it to be --

LEGISLATOR CARACCILO:

Okay, this pertains to just to active parkland.

MR. SABATINO:

This is only for the Greenways Program, active parkland.

LEGISLATOR CARACCILO:

All right. Let me amend the resolution then to require anyone other than -- I'll make a motion to table and amend this counsel, to reflect anyone partnering with the County to meet this requirement, not just actively in parkland.

CHAIRMAN BISHOP:

Now, let me ask you something? I have like a --

LEGISLATOR GULDI:

Second the motion to table and we'll do it next month.

CHAIRMAN BISHOP:

What's the difference at this hour? We may as well just --

LEGISLATOR GULDI:

Some of us have --

CHAIRMAN BISHOP:

I have, for example, little strips of land that are adopted by the local civic to plant tulips.

LEGISLATOR GULDI:

Right.

CHAIRMAN BISHOP:

Now, that's a partnership between the County. Do we would have to go through a process --

LEGISLATOR CARACCILO:

No. I mean --

CHAIRMAN BISHOP:

I'm raising those type of issues, please consider them.

LEGISLATOR CARACCILO:

It's a good issue and we should set a dollar amount as to what the partnership involves before people who have to meet this request.

LEGISLATOR GULDI:

Or else we could simply continue to do it on ad hoc basis, special in the Legislature. I would be happy to pass where we could exercise our judgement on each and every proposal to demand a financial scrutiny that's appropriate on each one instead of doing a Charter Law Amendment.

CHAIRMAN BISHOP:

He's going to contemplate all these wonderful suggestions. Motion to table by Legislator Fields, second by Legislator Alden. All in favor? Opposed? It's tabled.

I.R. NO. 2029 (P) Adopting Local Law No. -2000, a Charter Law to impose additional requirements on Suffolk County Community Greenways Fund for active parkland acquisitions. (Legislator Michael Caracciolo)

VOTE: 7-0-0-0 TABLED

CHAIRMAN BISHOP:

2031 approving acquisition under Suffolk County Land Preservation Partnership Program, Rolling Oaks Golf Course in Rocky Point. Does this have SEQRA and all what not?

LEGISLATOR GRECCO:

I don't believe there is any town board resolution on this.

CHAIRMAN BISHOP:

Okay. Motion to table, second by Legislator Binder. 2031 is tabled.

I.R. NO. 2031 Approving acquisition under Suffolk County Land Preservation Partnership Program (Rolling Oaks Golf Course in Rocky Point) Town of Brookhaven. (Legislator Martin Haley)

VOTE: 7-0-0-0 TABLED

CHAIRMAN BISHOP:

2036 implementing Greenways Program in connection with acquisition of active parkland in Lindenhurst. Does this have SEQRA?

LEGISLATOR GULDI:

Isn't it 2037, you mean?

CHAIRMAN BISHOP:

No, 2036 then through 2037.

LEGISLATOR BINDER:

We don't have 2036 on our agenda.

LEGISLATOR GULDI:

I don't have 2036.

CHAIRMAN BISHOP:

Why is it on mine and not on theirs?

LEGISLATOR BINDER:

It's on the second page, subject to call. You have it subject to call on the last page.

CHAIRMAN BISHOP:

Oh, which one is that?

LEGISLATOR BINDER:

2036.

CHAIRMAN BISHOP:

All right. Counsel, 2036 can you just go to the sheet on that?

MR. SABATINO:

2036.

CHAIRMAN BISHOP:

Yes. Could you put that in the 125E? Just change the program? That's why it's tabled subject to call.

CHAIRMAN BISHOP:

All right. 2037, does this have SEQRA? I don't think it's had SEQRA yet.

LEGISLATOR BINDER:

Motion to table.

CHAIRMAN BISHOP:

Right. Are you the correct people that I ask? Not sure, okay. Motion to table.

LEGISLATOR GULDI:

Second.

CHAIRMAN BISHOP:

Second by Legislator Guldi. 2037 is tabled.

I.R. NO. 2037 (P) Implementing Greenways Program in connection with acquisition of active parklands in Lindenhurst. (Town of Babylon) (Legislator David Bishop)

VOTE: 7-0-0-0 TABLED

CHAIRMAN BISHOP:

2042 a Local Law to ban the use of plastic loops in food, drink and consumer packaging within the County of Suffolk. We're environment. Do we have a -- is the hearing process concluded?

MR. SABATINO:

Yes, the hearing was concluded.

CHAIRMAN BISHOP:

He's ordered in the children. They've been here enough. Okay.

LEGISLATOR GULDI:

Motion to table.

CHAIRMAN BISHOP:

Motion to table, Legislator Guldi. I think we should kill it.

LEGISLATOR GULDI:

Subject to call?

CHAIRMAN BISHOP:

It's done, right? The process is done. It's now before us?

MR. SABATINO:

The twenty --

LEGISLATOR GULDI:

I'll take Legislator Binder --

LEGISLATOR BINDER:

Subject to call.

CHAIRMAN BISHOP:

Well, let me just make the case? I mean, we have all the information you need on this measure and the longer you leave it dangling, this poor company has to come in from Chicago.

LEGISLATOR GULDI:

I'll make the motion to table subject to call.

CHAIRMAN BISHOP:

All right. Motion to table subject to call by Legislator Guldi. Is there a second? Second by Legislator Caracciolo. All in favor? Opposed? Tabled subject to call.

**I.R. NO. 2042 Adopting Local Law No. -2000, A Local Law to ban the use of plastic loops in food, drink and consumer packaging within the County of Suffolk.
(Legislator Fred Towle)**

VOTE: 7-0-0-0 TABLED SUBJECT TO CALL

CHAIRMAN BISHOP:

That sends a strong enough message, I guess. 2184 amending 2000 Operating Budget and appropriating funds from the Water Quality Protection Program, Fund 475 and Environmental Trust Fund, 176 in connection with the town of revenue sharing of acquisition of lands. What explanation? In Riverhead, Southold, Southampton, Brookhaven, East Hampton and Huntington.

LEGISLATOR GULDI:

You've got to give them their money. Second the motion to approve.

CHAIRMAN BISHOP:

Well, why -- where's Islip?

MR. SABATINO:

This was tabled two consecutive committee meetings to get answers because there was some lack of clarity with regard to -- because all of the other stand alone resolutions for the towns passed prior to it but this dealt with just three or six towns getting some money from a reserve and the questions couldn't be answered. That's why it was tabled two consecutive meetings, so --

CHAIRMAN BISHOP:

Who is here to carry the ball and clarify?

LEGISLATOR BINDER:

Tell us what we didn't know.

MR. GRECCO:

This represents what we call the close out. The difference between the actual and the estimates on the program that ended on November 30th for each of the town's individual trust funds. I believe it's --

CHAIRMAN BISHOP:

Where are the other towns? Oh, we did the other towns?

MR. SABATINO:

Not all the towns. The other towns were done for their current share. There were nine town resolutions. This one is --

MR. GRECCO:

This is 125D money. This is revenue sharing.

CHAIRMAN BISHOP:

Hold on, we've got two people speaking.

MR. GRECCO:

I'm sorry.

CHAIRMAN BISHOP:

Let's hear his explanation first.

MR. GRECCO:

This is revenue sharing, 125D money and as I understood it, it was a closeout of the difference between the estimates and the actual.

CHAIRMAN BISHOP:

125D.

MR. GRECCO:

Revenue sharing.

CHAIRMAN BISHOP:

Okay and does Islip, Babylon, Smithtown, do they participate in 125D?

MR. GRECCO:

No, I believe, if I'm not mistaken they opted to --

MR. SABATINO:

All the towns get revenue sharing. They just get it for different purposes that's all. Islip and Huntington are using it for --

MR. GRECCO:

Different purposes, I think they use their --

MR. SABATINO:

Their capping of other --

MR. GRECCO:

For purposes, landfill purposes. These opted for open space. It would be helpful to us because we can start accessing this money.

CHAIRMAN BISHOP:

Fred, can you --

MR. POLLERT:

Part of the reason I was confused by these because we haven't closed the books yet. The program hasn't received its final sales tax distribution and it's subject to a final audit. So generally what we would do is it would be a significant lag to make sure that --

LEGISLATOR GULDI:

It's got to be tabled.

MR. POLLERT:

You know that the towns can get to the distribution.

CHAIRMAN BISHOP:

Mr. Grecco, I want to take a guess but you're not the expert on this.

LEGISLATOR GULDI:

It's got to be tabled.

CHAIRMAN BISHOP:

We don't have the expert here.

LEGISLATOR GULDI:

It's got to be tabled anyway. I want to point out that it's amending the 2000 Operating Budget.

CHAIRMAN BISHOP:

Okay.

LEGISLATOR GULDI:

And we're a little late for that. So why don't we -- I'll make the motion to table --

CHAIRMAN BISHOP:

Let them know that they're going to --

LEGISLATOR FIELDS:

Second the motion.

CHAIRMAN BISHOP:

Get the right person here and --

LEGISLATOR GULDI:

Until we get it sorted out.

CHAIRMAN BISHOP:

Motion to table subject to call by Legislator Guldi, second by myself. All in favor? Opposed?

LEGISLATOR GULDI:

No, not subject to call. Table, table one cycle.

CHAIRMAN BISHOP:

As you pointed out, it's the bill is the wrong year.

LEGISLATOR GULDI:

He can amend it.

CHAIRMAN BISHOP:

He can still amend it tabled subject to call. Motion to table, since table subject to call is so feared.

LEGISLATOR GULDI:

Is it correct that that it needs to be 2001 operating -- amendment now?

LEGISLATOR ALDEN:

Well, it's 2000 closeout.

LEGISLATOR GULDI:

Can you amend it to budget after it's closed?

CHAIRMAN BISHOP:

Now do you want to speak Paul? Fred?

MR. POLLERT:

One of the difficulties is obviously there was a drop off in sales tax the last quarter. This is 2000 money. The only question that I had was since we turned the model over to the County Executive's Office, I don't know what period this is for. They didn't know the fourth quarter when the resolution was drawn up. So if it's really a distribution on 2000, it could be on estimated amounts.

CHAIRMAN BISHOP:

May I ask? Who's shop is this coming out of? Does anybody know?

LEGISLATOR GULDI:

Yes, who does this?

CHAIRMAN BISHOP:

Where is this coming out of?

LEGISLATOR GULDI:

Who's got the numbers?

CHAIRMAN BISHOP:

And can we have them meet with our Budget Review and figure it out?

MR. NUZZI:

If you would be kind enough to table it until the next meeting?

LEGISLATOR GULDI:

Motion to table.

CHAIRMAN BISHOP:

Thank you. That's a man of action. Motion by Legislator Guldi, second by myself. 2184 is tabled.

I.R. NO. 2184 Amending the 2000 Operating Budget and appropriating funds from the Waters Quality Protection Program, Fund 475 and Environmental Trust Fund, Fund 176 in connection with the Town Revenue Sharing for the acquisition of land for the Town's of Riverhead, Southold, Southampton, Brookhaven, East Hampton and Huntington. (County Executive)

VOTE: 7-0-0-0 TABLED

CHAIRMAN BISHOP:

2224 authorizing land acquisition under the water quality protection component of the Quarter Percent Drinking Protection Program, Oakdale property, Town of Islip.

LEGISLATOR FIELDS:

This was withdrawn under this resolution number.

CHAIRMAN BISHOP:

Withdrawn, okay thank you. Tabled non-prime, motion to defer to prime on 2233 by myself, second by Legislator Caracciolo. All in favor? Opposed? 2233 is deferred to prime.

I.R. NO. 2233 Authorizing feasibility Study for expansion of Suffolk County Sewer District No. 3, Southwest. (Legislator Angie Carpenter)

VOTE: 7-0-0-0 DEFER TO PRIME

CHAIRMAN BISHOP:

2277 a motion to defer to prime myself, second by Legislator Caracciolo. That's deferred to prime.

I.R. NO. 2277 Amending the 2000 Operating Budget and transferring funds for the purchase of equipment for the removal of iron drinking water. (CP 8203.510) (Legislator Steve Levy)

VOTE: 7-0-0-0 DEFER TO PRIME

CHAIRMAN BISHOP:

2315, motion to defer by myself, second by Legislator Caracciolo. 2315 is deferred to prime.

I.R. NO. 2315 Adopting Local Law No. 2011, A Local Law to require sewage outflow meters for commercial/industrial user charges. (*Legislator Allan Binder*)

VOTE: 7-0-0-0 DEFER TO PRIME

CHAIRMAN BISHOP:

Table subject to call, does anyone want to reactivate any of these? No, come on, there must be something else we can do this evening. Motion to adjourn by Legislator Alden, second by myself.

(The meeting was adjourned at 6:50 P.M.)

{ } Denotes spelled phonetically